

EXHIBIT A



Notice of Service of Process

null / ALL
Transmittal Number: 24293070
Date Processed: 01/06/2022

Primary Contact: Peter Goss
Pentair, Inc.
5500 Wayzata Blvd
Ste 900
Golden Valley, MN 55416-3573

Electronic copy provided to: Kristine Remjeske

Entity:	Pentair Water Pool And Spa, Inc. Entity ID Number 3292813
Entity Served:	Pentair Water Pool And Spa, Inc.
Title of Action:	Leticia Arteaga vs. Pentair Water Pool And Spa, Inc.
Matter Name/ID:	Leticia Arteaga vs. Pentair Water Pool And Spa, Inc. (11891700)
Document(s) Type:	Summons/Complaint
Nature of Action:	Wrongful Death
Court/Agency:	Orange County Superior Court, CA
Case/Reference No:	30-2021-01227987-CU-PO-CJC
Jurisdiction Served:	Minnesota
Date Served on CSC:	01/06/2022
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	O'Brien & Zehnder 916-714-8200

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

SUMMONS (CITACION JUDICIAL)

SUM-100

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: PENTAIR WATER POOL AND SPA, INC.,
(AVISO AL DEMANDADO): a Delaware corporation; PENTAIR, INC., a Minnesota corporation, ENRIQUE CENICEROS, an individual doing business as M-C-POOL; and DOES 1 through 100, inclusive

YOU ARE BEING SUED BY PLAINTIFF: LETICIA ARTEAGA,
(LO ESTÁ DEMANDANDO EL DEMANDANTE): individually, and as Successor-In-Interest to Al Arteaga; **ADDITIONAL PARTIES ATTACHMENT FORM IS ATTACHED**

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
 (El nombre y dirección de la corte es):

ORANGE COUNTY SUPERIOR COURT
 Central Justice Center
 700 Civic Center Drive West
 Santa Ana, CA 92701

CASE NUMBER:
 (Número del Caso):

30-2021-01227987-CU-PO-CJO

Judge Martha K. Gooding

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

John M. O'Brien (SBN 148757)

(916) 714-8200

O'BRIEN & ZEHNDR

9401 East Stockton Blvd., Suite 225

Elk Grove, CA 95624

David H. Yamasaki, Clerk of the Court

DATE: 10/27/2021

Clerk, by

A. DANG

Deputy

(Fecha)

(Secretario)

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.

2. ☐ as the person sued under the fictitious name of (specify):

PENTAIR WATER POOL AND SPA, INC.

3. ☒ on behalf of (specify): a Delaware corporation

under: ☒ CCP 416.10 (corporation)

☐ CCP 416.60 (minor)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.70 (conservatee)

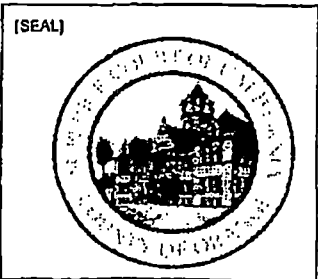
☐ CCP 416.40 (association or partnership)

☐ CCP 416.90 (authorized person)

☐ other (specify):

4. ☒ by personal delivery on (date): 10/26, 2022

Page 1 of 1



SUM-200(A)

SHORT TITLE:	CASE NUMBER:
Arteaga, et al. vs. Pentair Water Pool and Spa, Inc., et al.	30-2021-01227987-CU-PO-CJC

INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
 → If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☒ Plaintiff ☐ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

JOSEPH ARTEAGA, an individual;
 MICHAEL ARTEAGA, an individual;
 JESSICA ARTEAGA, an individual;
 MICHELE DENISE ARTEAGA, a minor by and through her Guardian ad Litem, MARTHA DE LA TORRE; and
 JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE

Page ____ of ____

Page 1 of 1

30-2021-01227987-CU-PO-CJC - ROA # 2 - DAVID H. YAMASAKI, Clerk of the Court By Katie Trent, Deputy Clerk.

John M. O'Brien (SBN 148757)
Grant R. Zehnder (SBN 271228)
O'BRIEN & ZEHNDER
9401 East Stockton Boulevard, Suite 225
Elk Grove, California 95624
Telephone: (916) 714-8200
Facsimile: (916) 714-8201

Attorneys for Plaintiffs
LETICIA ARTEAGA, JOSEPH ARTEAGA,
MICHAEL ARTEAGA, JESSICA ARTEAGA,
MICHELE DENISE ARTEAGA, a minor, by
and through her Guardian ad Litem, MARTHA
DE LA TORRE, and JACOB MASON
ARTEAGA, a minor, by and through his
Guardian ad Litem, MARTHA DE LA TORRE

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
JESSICA ARTEAGA, an individual;
MICHELE DENISE ARTEAGA, a minor,
by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
MARTHA DE LA TORRE;

Case No.: 30-2021-01227987-CU-PO-CJC

**COMPLAINT FOR DAMAGES
(Unlimited)**

DEMAND FOR JURY TRIAL

Assigned for All Purposes
Judge Martha K. Gooding

Plaintiffs,

vs.

PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
DOES 1 through 100, inclusive,

Defendants.

Plaintiffs LETICIA ARTEAGA, individually and as Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual; JESSICA
ARTEAGA, an individual; MICHELE DENISE ARTEAGA, a minor, by and through her

Guardian ad Litem, MARTHA DE LA TORRE; and JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE (collectively "Plaintiffs"), for their complaint against defendants PENTAIR WATER POOL AND SPA, INC., a Delaware corporation; PENTAIR, INC., a Minnesota corporation; ENRIQUE CENICEROS, an individual doing business as M-C-POOL; and DOES 1 through 100, inclusive (collectively "Defendants"); allege the following on information and belief:

GENERAL ALLEGATIONS

1. Plaintiff LETICIA ARTEAGA ("LETICIA") is the surviving spouse of her husband, Decedent Al Arteaga, and brings this action individually, for the wrongful death of her husband, and as his successor in interest pursuant to California Code of Civil Procedure section 377.11. Plaintiff LETICIA will execute and file a Declaration affirming her status as such under penalty of perjury pursuant to California Code of Civil Procedure section 377.32. At all times herein mentioned, Plaintiff LETICIA and Decedent Al Arteaga were lawfully married as husband and wife, and Plaintiff LETICIA was, and is, a resident of the County of Orange, State of California.

2. Plaintiff JOSEPH ARTEAGA ("JOSEPH") is, and at all times herein mentioned was, a resident of the County of Orange, State of California. Plaintiff JOSEPH is the son of Decedent Al Arteaga and brings claims for the wrongful death of his father.

3. Plaintiff MICHAEL ARTEAGA ("MICHAEL") is, and at all times herein mentioned was, a resident of the County of Orange, State of California. Plaintiff MICHAEL is the son of Decedent Al Arteaga and brings claims for the wrongful death of his father.

4. Plaintiff JESSICA ARTEAGA ("JESSICA") is, and at all times herein mentioned was, a resident of the County of Orange, State of California. Plaintiff JESSICA is the daughter of Decedent Al Arteaga and brings claims for the wrongful death of her father.

5. Plaintiff MICHELE DENISE ARTEAGA ("MICHELE") is, and at all times herein mentioned was, a minor (DOB: 03/24/2005) and resident of the County of Orange, State of California. For purposes of this action, MARTHA DE LA TORRE was appointed by the above-entitled court and is the Guardian ad Litem of Plaintiff MICHELE DENISE ARTEAGA. Plaintiff

1 MICHELE is the daughter of Decedent Al Arteaga and brings claims for the wrongful death of her
2 father.

3 6. Plaintiff JACOB MASON ARTEAGA ("JACOB") is, and at all times herein
4 mentioned was, a minor (DOB: 12/10/2010) and resident of the County of Orange, State of
5 California. For purposes of this action, MARTHA DE LA TORRE was appointed by the above-
6 entitled court and is the Guardian ad Litem of Plaintiff JACOB MASON ARTEAGA. Plaintiff
7 JACOB is the son of Decedent Al Arteaga and brings claims for the wrongful death of his father.

8 7. Plaintiffs are informed and believe and thereon allege that defendant PENTAIR
9 WATER POOL AND SPA, INC. ("PENTAIR POOL") is, and at all times herein mentioned was,
10 a corporation organized and existing under and by virtue of the laws of the State of Delaware, with
11 principal executive offices located at 5500 Wayzata Boulevard, Suite 900, Golden Valley,
12 Minnesota 55416. Plaintiffs are informed and believes and thereon alleges that defendant
13 PENTAIR POOL is authorized to do, has regularly done, and is doing, business within the County
14 of Orange, in the State of California, and has systematically conducted business on a regular basis
15 in the State of California, under and by virtue of the laws of the State of California. Defendant
16 PENTAIR POOL conducts business in the State of California, and elsewhere, as Pentair and is
17 believed to have a physical presence in the State of California with its facility in Moorpark,
18 California.

19 8. Plaintiffs are informed and believe and thereon allege that defendant PENTAIR,
20 INC. ("PENTAIR") is, and at all times herein mentioned was, a corporation organized and
21 existing under and by virtue of the laws of the State of Minnesota, with principal executive offices
22 located at 5500 Wayzata Boulevard, Suite 900, Golden Valley, Minnesota 55416. Plaintiffs are
23 informed and believes and thereon allege that defendant PENTAIR is authorized to do, has
24 regularly done, and is doing, business within the County of Orange, in the State of California, and
25 has systematically conducted business on a regular basis in the State of California, under and by
26 virtue of the laws of the State of California. Defendant PENTAIR POOL conducts business in the
27 State of California, and elsewhere, as Pentair and is believed to have a physical presence in the
28 State of California with its facility in Moorpark, California.

1 9. Plaintiffs are informed and believe and thereon allege that, at all times herein
2 mentioned, defendants PENTAIR POOL, PENTAIR, and DOES 1 through 20, inclusive, were
3 engaged in designing, developing, engineering, manufacturing, testing, fabricating, assembling,
4 building, constructing, supervising the use of, distributing, inspecting, repairing, supplying,
5 selling, installing, configuring, instructing on the use of, warranting, advertising for sale, and/or
6 maintaining pool and spa equipment, including the pool filter and attached value assembly at issue
7 in this action, which are identified as a (1) Pentair Quad D.E. Diatomaceous Earth Filter, P/N
8 188594, S/N 0178289170017L with filter clamp ("SUBJECT FILTER"); and (2) Pentair PAC
9 FAB Slide Valve with Piston Rod Assembly ("SUBJECT VALVE"), which together are referred
10 to as the "SUBJECT PRODUCT".

11 10. Plaintiffs are informed and believe and thereon allege that defendant ENRIQUE
12 CENICEROS ("CENICEROS") is, and at all times herein mentioned was, a resident of the County
13 of Orange, State of California. Defendant ENRIQUE CENICEROS does business in the County of
14 Orange, State of California, as M-C-POOL.

15 11. Plaintiff is ignorant of the true names and capacities, whether individual, corporate,
16 associate, or otherwise, of the defendants sued herein as DOES 1 through 100, inclusive, and
17 therefore sues said defendants by such fictitious names. Plaintiff is informed and believes and
18 thereon alleges that each of the DOES is responsible in some manner, either intentionally,
19 willfully, wantonly, negligently, or otherwise, for the events and happenings herein contained.
20 Plaintiff will amend this complaint to allege the true names and capacities of such defendants
21 when ascertained.

22 12. Plaintiffs are informed and believe and thereon allege that defendants, and each of
23 them, were the agents, employees, supervisors, servants, subsidiaries, alter egos and joint
24 venturers of each of the remaining defendants, and were at all times acting within the purpose and
25 scope of said agency, employment and authority, and with the consent and permission of each of
26 the other defendants. Further, defendants, and each of them, had notice of the negligence of every
27 other defendant as set forth below.

28 ///

14. Each defendant, when acting as a principal, was negligent in the selection, hiring, training, supervision, discipline, retention, demotion and termination of each and every other defendant and its agents.

16. The events and happenings herein contained, including the death of Al Arteaga, occurred in the County of Orange and therefore the County of Orange is an appropriate venue. Moreover, one or more defendants reside in the County of Orange and therefore venue is proper on that basis as well.

17. Plaintiffs incorporate by reference the preceding paragraphs as if set forth herein in their entirety.

1 filter clamp, and SUBJECT VALVE (and thus the SUBJECT PRODUCT) were designed,
 2 developed, engineered, manufactured, tested, fabricated, assembled, built, constructed, distributed,
 3 inspected, repaired, supplied, sold, installed, configured, warranted, and/or maintained by
 4 defendants. The SUBJECT PRODUCT malfunctioned and failed, which resulted the SUBJECT
 5 FILTER tank (i.e., bottom tank and lid assembly) becoming pressurized and exploding. As a result
 6 of the SUBJECT PRODUCT's defects in manufacture, design, and/or warnings, and defendants'
 7 negligence, the SUBJECT PRODUCT malfunctioned and the SUBJECT FILTER tank exploded
 8 and caused DECEDENT's death and plaintiffs' damages. The SUBJECT PRODCUT posed a
 9 significant and dangerous hazard to its reasonably foreseeable users, including DECEDENT.

10 19. As a result of defendants' negligence and the SUBJECT PRODUCT's
 11 defectiveness, plaintiffs have been damaged in a sum in excess of the minimum jurisdictional
 12 limits of this court and prays leave to amend this Complaint when the same has been ascertained.

13 FIRST CAUSE OF ACTION

14 (Negligence Against All Defendants)

15 20. Plaintiffs incorporate by reference the preceding paragraphs as if set forth herein in
 16 their entirety.

17 21. Plaintiffs are informed and believe and thereon allege that defendants, and each of
 18 them, in doing the things alleged herein, acted negligently and carelessly. Said negligence was the
 19 proximate cause of the death of Decedent Al Arteaga and of the damages herein alleged.
 20 Defendants, and each of them, were directly negligent as well as negligent in the selection,
 21 supervision, hiring and retention of any and all private companies, firms, independent contractors,
 22 employees, agents, persons, and the like, who were retained by them for the purpose of designing,
 23 developing, engineering, manufacturing, testing, fabricating, assembling, building, constructing,
 24 supervising the use of, distributing, inspecting, repairing, supplying, selling, installing,
 25 configuring, instructing on the use of, warranting, advertising for sale, and/or maintaining the
 26 SUBJECT PRODUCT, and others like it, including the one that caused DECEDENT Al Arteaga's
 27 death and plaintiffs' damages.

28 ///

1 22. In addition to the foregoing, defendants, and each of them, were negligent in their
2 operation, maintenance, use, repairs, management, and/or control of the SUBJECT PRODUCT.
3 Defendants, and each of them, also failed to properly instruct, supervise and warn Decedent Al
4 Arteaga and other users and/or purchasers of the product of its unreasonable but reasonably
5 foreseeable dangers and defectiveness.

6 23. Plaintiffs are informed and believe and thereon allege that defendants, and each of
7 them, knew, or in the exercise of reasonable care should have known, that the SUBJECT VALVE,
8 SUBJECT FILTER and filter clamp, were not designed, developed, engineered, manufactured,
9 tested, fabricated, assembled, built, constructed, distributed, inspected, repaired, supplied, sold,
10 installed, configured, warranted, and/or maintained and/or provided in a reasonable manner and,
11 additionally, the instructions and/or warnings pertaining to the SUBJECT VALVE, SUBJECT
12 FILTER and filter clamp, were not provided in a reasonable manner.

13 24. Plaintiff is informed and believes and thereon alleges that defendants' negligence
14 and carelessness, and the SUBJECT PRODUCT's defectiveness, as set forth herein, legally and
15 proximately caused the death of DECEDENT and plaintiffs' injuries and damages.

16 25. As a direct and proximate result of defendants' negligence and carelessness, the
17 SUBJECT PRODUCT's defectiveness, and the death of DECEDENT, as set forth herein,
18 plaintiffs have sustained economic damages, which include, but are not limited to: (1) the value of
19 lost financial and other support from decedent, (2) the value of gifts or benefits that decedent
20 would have provided, (3) the value of funeral and burial expenses, (4) the reasonable value of
21 household services that the decedent would have provided, and (5) the reasonable value of medical
22 services incurred.

23 26. As a direct and proximate result of defendants' negligence and carelessness, the
24 SUBJECT PRODUCT's defectiveness, and the death of DECEDENT, as set forth herein,
25 plaintiffs have sustained non-economic damages, which include, but are not limited to: the loss of
26 DECEDENT's love, companionship, comfort, care, assistance, protection, affection, society,
27 solace, emotional support, moral support, and well-being.

28 ///

27. That as a further direct and proximate result thereof, plaintiffs have been damaged well in excess of the minimum jurisdictional limits of this court and plaintiffs pray for relief in an amount greater than said limit.

WHEREFORE, plaintiffs pray for judgment against defendants, and each of them, as hereinafter set forth.

SECOND CAUSE OF ACTION

(Strict Product Liability Against Defendants PENTAIR POOL, PENTAIR,
and DOES 1 through 25, Inclusive)

28. Plaintiffs incorporate by reference the preceding paragraphs as if set forth herein in their entirety.

29. Prior to July 20, 2019, and thereafter, defendants PENTAIR POOL, PENTAIR and DOES 1 through 25, Inclusive, and each of them, were engaged in the business of designing, developing, engineering, manufacturing, testing, fabricating, assembling, building, constructing, supervising the use of, distributing, inspecting, repairing, supplying, selling, installing, configuring, instructing on the use of, warranting, advertising for sale, and/or maintaining the SUBJECT PRODUCT, including the SUBJECT FILTER and SUBJECT VALVE, and others like them, which were and are used by the general public, including DECEDENT.

30. Defendants PENTAIR POOL, PENTAIR and DOES 1 through 25, Inclusive, and each of them, knew that the SUBJECT PRODUCT, including the SUBJECT FILTER and SUBJECT VALVE, would be purchased and/or used without inspection for defects or malfunctions by the purchaser and/or users thereof, and knew that defects would not be discovered in the normal course of inspection and operation by users thereof.

31. The SUBJECT VALVE and SUBJECT FILTER that were installed at DECEDENT's home and used by DECEDENT were unsafe for their intended use by reason of the defects and malfunctions in their design and manufacture inasmuch as they malfunctioned, exploded and suddenly separated, sending projectiles and/or shrapnel through the air which struck DECEDENT in the face/head injuring and killing him while the product was being used in a reasonable and foreseeable manner with due care, as instructed by these defendants, and each of

1 them. As a result of these defects and failures, among others, plaintiffs suffered injuries and
2 damages as set forth above and herein.

3 32. Plaintiffs and DECEDENT were not aware of said defects prior to suffering
4 injuries caused by the Subject Product, which was defective at the time it was designed,
5 developed, engineered, manufactured, tested, fabricated, assembled, built, constructed, distributed,
6 inspected, repaired, supplied, sold, installed, configured, warranted, and/or otherwise provided by
7 these defendants.

8 33. As a direct and proximate result of the SUBJECT PRODUCT's defectiveness, and
9 the death of DECEDENT, as set forth herein, plaintiffs have sustained economic damages, which
10 include, but are not limited to: (1) the value of lost financial and other support from decedent, (2)
11 the value of gifts or benefits that decedent would have provided, (3) the value of funeral and burial
12 expenses, (4) the reasonable value of household services that the decedent would have provided,
13 and (5) the reasonable value of medical services incurred.

14 34. As a direct and proximate result of the SUBJECT PRODUCT's defectiveness, and
15 the death of DECEDENT, as set forth herein, plaintiffs have sustained non-economic damages,
16 which include, but are not limited to: the loss of DECEDENT's love, companionship, comfort,
17 care, assistance, protection, affection, society, solace, emotional support, moral support, and well-
18 being.

19 35. That as a further direct and proximate result thereof, plaintiffs have been damaged
20 well in excess of the minimum jurisdictional limits of this court and plaintiffs pray for relief in an
21 amount greater than said limit.

22 WHEREFORE, plaintiff prays for judgment against defendants, and each of them, as
23 hereinafter set forth.

24 **THIRD CAUSE OF ACTION**

25 **(Failure to Warn Against All Defendants)**

26 36. Plaintiffs incorporate by reference the preceding paragraphs as if set forth herein in
27 their entirety.

28 ///

37. At all times herein mentioned, the SUBJECT PRODUCT was defective as a result of defendants' failure to give appropriate, accurate, adequate and/or any warning concerning the SUBJECT PRODUCT's potential for failure, particularly with respect to the type of malfunction that occurred here during normal and reasonably foreseeable operation and/or use. These failures rendered the SUBJECT PRODUCT unsafe for its intended and/or reasonably foreseeable use.

38. Plaintiffs are informed and believe and thereon allege that defendants' failure to give appropriate, accurate, adequate and/or any warnings, as set forth herein, created a reasonably foreseeable risk of injuries and damages of the kind that occurred herein. Moreover, plaintiffs are informed and believe and thereon allege that defendants had actual and specific knowledge of the risk attendant to their failure to give appropriate, accurate, adequate and/or any warnings.

39. Plaintiffs are informed and believe and thereon allege that defendants' failure to give appropriate, accurate, adequate and/or any warnings, as set forth herein, legally and proximately caused the death of DECEDENT and plaintiff's injuries and damages as set forth above and herein.

WHEREFORE, plaintiffs pray for judgment against defendants, and each of them, as hereinafter set forth.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs pray for judgment against the defendants, and each of them, as follows:

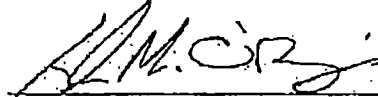
- (a) All economic damages according to proof;
- (b) Non-economic damages in excess of the minimum jurisdictional requirements of this Court and according to proof;
- (c) Interest to the extent allowed by law;
- (e) All costs of suit; and
- (d) Such other and further relief as this Court may deem just and proper.

///

1 DATED: October 21, 2021

O'BRIEN & ZEHNDER

2
3 By:



JOHN M. O'BRIEN

4 Attorneys for Plaintiffs LETICIA ARTEAGA,
5 JOSEPH ARTEAGA, MICHAEL ARTEAGA,
6 JESSICA ARTEAGA, MICHELE DENISE
7 ARTEAGA, a minor, by and through her Guardian
8 ad Litem, MARTHA DE LA TORRE, and JACOB
9 MASON ARTEAGA, a minor, by and through his
10 Guardian ad Litem, MARTHA DE LA TORRE
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 W. Civic Center DRIVE MAILING ADDRESS: 700 W. Civic Center Drive CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: Central Justice Center	FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE Oct 27, 2021 Clerk of the Court By: Katie Trent, Deputy
PLAINTIFF: Leticia Arteaga et.al.	
DEFENDANT: Pentair Water Pool and Spa, Inc. et.al.	
Short Title: ARTEAGA VS. PENTAIR WATER POOL AND SPA, INC.	
NOTICE OF HEARING CASE MANAGEMENT CONFERENCE	CASE NUMBER: 30-2021-01227987-CU-PO-CJC

Please take notice that a(n), Case Management Conference has been scheduled for hearing on 04/04/2022 at 09:00:00 AM in Department C32 of this court, located at Central Justice Center.

Plaintiff(s)/Petitioner(s) to provide notice to all defendant(s)/respondent(s). Parties who file pleadings that add new parties to the proceeding must provide notice of the Case Management Conference to the newly added parties.

IMPORTANT: Prior to your hearing date, please check the Court's website for the most current instructions regarding how to appear for your hearing and access services that are available to answer your questions.

Civil Matters - <https://www.occourts.org/media-relations/civil.html>

Probate/Mental Health - <https://www.occourts.org/media-relations/probate-mental-health.html>

IMPORTANTE: Antes de la fecha de su audiencia, visite el sitio web de la Corte para saber cuáles son las instrucciones más actuales para participar en la audiencia y tener acceso a los servicios disponibles para responder a sus preguntas.

Casos Civiles - <https://www.occourts.org/media-relations/civil.html>

Casos de Probate y Salud Mental - <https://www.occourts.org/media-relations/probate-mental-health.html>

QUAN TRONG: Trước ngày phiên tòa của quý vị, vui lòng kiểm tra trang mạng của tòa án để biết những hướng dẫn mới nhất về cách ra hầu phiên tòa của quý vị và tiếp cận những dịch vụ hiện có để giải đáp những thắc mắc của quý vị.

Vấn Đề Dân Sự - <https://www.occourts.org/media-relations/civil.html>

Thủ Tục Di Chúc/Sức Khỏe Tinh Thần - <https://www.occourts.org/media-relations/probate-mental-health.html>

Clerk of the Court, By: Katie Trent, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE Central Justice Center 700 W. Civic Center DRIVE Santa Ana 92701	
SHORT TITLE: ARTEAGA VS. PENTAIR WATER POOL AND SPA, INC.	
CLERK'S CERTIFICATE OF SERVICE BY MAIL	CASE NUMBER: 30-2021-01227987-CU-PO-CJC

I certify that I am not a party to this cause. I certify that a true copy of the above Notice of Hearing has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practices and addressed as indicated below. The certification occurred at Santa Ana, California, on 10/27/2021. Following standard court practice the mailing will occur at Sacramento, California on 10/28/2021.

Clerk of the Court, by: Katie Trent, Deputy

O'BRIEN & ZEHNDER
 9401 E STOCKTON BOULEVARD # 225
 ELK GROVE, CA 95624

CLERK'S CERTIFICATE OF SERVICE BY MAIL

Page: 2

CIV-050

- DO NOT FILE WITH THE COURT -

- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): <u>PLAINTIFFS</u>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a		CASE NUMBER: 30-2021-01227987-CU-PO-CJC	
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			

To (name of one defendant only): ENRIQUE CENICEROS, an individual doing business as M-C-POOL
 Plaintiff (name of one plaintiff only): LETICIA ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|---|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify) . \$ | |
| when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
 (Personal Injury or Wrongful Death)

Legal
 Solutions
 & Plus

Page 1 of 2
Code of Civil Procedure, §§ 425.11, 425.115

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624 ATTORNEY FOR (name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a	TELEPHONE NO.: (916) 714-8200 FOR COURT USE ONLY CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)	

To (name of one defendant only): ENRIQUE CENICEROS, an individual doing business as M-C-POOL
 Plaintiff (name of one plaintiff only): MICHAEL ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|---|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |
| Date: November 2, 2021 | |

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624 ATTORNEY FOR (name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a	TELEPHONE NO.: (916) 714-8200 FOR COURT USE ONLY CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)	

To (name of one defendant only): ENRIQUE CENIEROS, an individual doing business as M-C-POOL
 Plaintiff (name of one plaintiff only): JOSEPH ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ _____ |
| c. <input type="checkbox"/> Loss of consortium | \$ _____ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ _____ |
| e. <input type="checkbox"/> Other (specify) | \$ _____ |
| f. <input type="checkbox"/> Other (specify) | \$ _____ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ _____ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ _____ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ _____ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ _____ |
| e. <input type="checkbox"/> Property damage | \$ _____ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ _____ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ _____ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ _____ |
| i. <input type="checkbox"/> Other (specify) | \$ _____ |
| j. <input type="checkbox"/> Other (specify) | \$ _____ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
 (Personal Injury or Wrongful Death)

Page 1 of 2
 Code of Civil Procedure, §§ 425.11, 425.115

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): ENRIQUE CENICEROS, an individual doing business as M-C-POOL
 Plaintiff (name of one plaintiff only): JESSICA ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |
| Date: November 2, 2021 | |

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): ENRIQUE CENICEROS, an individual doing business as M-C-POOL
 Plaintiff (name of one plaintiff only): JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem,
 seeks damages in the above-entitled action, as follows: MARTHA DE LA TORRE

1. General damages

- | | AMOUNT |
|---|---------------|
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |

2. Special damages

- | | |
|--|----|
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |

3. ☐ Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
 when pursuing a judgment in the suit filed against you.

Date: November 2, 2021.

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624 ATTORNEY FOR (name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a	TELEPHONE NO.: (916) 714-8200 FOR COURT USE ONLY CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)	

To (name of one defendant only): ENRIQUE CENICEROS, an individual doing business as M-C-POOL
 Plaintiff (name of one plaintiff only): MICHELE DENISE ARTEAGA, a minor by and through her Guardian ad Litem,
 seeks damages in the above-entitled action, as follows: MARTHA DE LA TORRE

1. General damages


- | | AMOUNT |
|---|---------------|
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |

2. Special damages

- | | |
|--|----|
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |

3. ☐ Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
 when pursuing a judgment in the suit filed against you.
 Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): PENTAIR, INC., a Minnesota corporation
 Plaintiff (name of one plaintiff only): LETICIA ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO. (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a		CASE NUMBER: 30-2021-01227987-CU-PO-CJC	
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			

To (name of one defendant only): PENTAIR, INC., a Minnesota corporation

Plaintiff (name of one plaintiff only): MICHAEL ARTEAGA

seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
(Personal Injury or Wrongful Death)Legal
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Code of Civil Procedure, §§ 425.11, 425.115

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): <u>PLAINTIFFS</u>			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <u>ORANGE</u>			
STREET ADDRESS: <u>Central Justice Center</u> MAILING ADDRESS: <u>700 Civic Center Drive West</u> CITY AND ZIP CODE: <u>Santa Ana, CA 92701</u> BRANCH NAME:			
PLAINTIFF: <u>LETICIA ARTEAGA, et al.,</u> DEFENDANT: <u>PENTAIR WATER POOL AND SPA, INC., et a</u>		CASE NUMBER: 30-2021-01227987-CU-PO-CJC	
<p align="center">STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)</p>			

To (name of one defendant only): PENTAIR, INC., a Minnesota corporationPlaintiff (name of one plaintiff only): JOSEPH ARTEAGA

seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|---|----------------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ <u>50,000,000</u> |
| b. <input type="checkbox"/> Emotional distress | \$ _____ |
| c. <input type="checkbox"/> Loss of consortium | \$ _____ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ _____ |
| e. <input type="checkbox"/> Other (specify) | \$ _____ |
| f. <input type="checkbox"/> Other (specify) | \$ _____ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ _____ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ _____ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ _____ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ _____ |
| e. <input type="checkbox"/> Property damage | \$ _____ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ _____ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ _____ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ _____ |
| i. <input type="checkbox"/> Other (specify) | \$ _____ |
| j. <input type="checkbox"/> Other (specify) | \$ _____ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify) . \$ _____ | |
| when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -**- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624	TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:		
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a		CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)		

To (name of one defendant only): PENTAIR, INC., a Minnesota corporation

Plaintiff (name of one plaintiff only): JESSICA ARTEAGA

seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |
| Date: November 2, 2021 | |

John M. O'Brien

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): PENTAIR, INC., a Minnesota corporation

Plaintiff (name of one plaintiff only): MICHELE DENISE ARTEAGA, a minor, by and through her Guardian ad Litem,
seeks damages in the above-entitled action, as follows:MARTHA DE LA TORRE
AMOUNT**1. General damages**

- a. ☒ Pain, suffering, and inconvenience \$ 50,000,000
- b. ☐ Emotional distress \$
- c. ☐ Loss of consortium \$
- d. ☐ Loss of society and companionship (wrongful death actions only) \$
- e. ☐ Other (specify) \$
- f. ☐ Other (specify) \$
- g. ☐ Continued on Attachment 1.g.

2. Special damages

- a. ☐ Medical expenses (to date) \$
- b. ☐ Future medical expenses (present value) \$
- c. ☐ Loss of earnings (to date) \$
- d. ☐ Loss of future earning capacity (present value) \$
- e. ☐ Property damage \$
- f. ☐ Funeral expenses (wrongful death actions only) \$
- g. ☐ Future contributions (present value) (wrongful death actions only) \$
- h. ☐ Value of personal service, advice, or training (wrongful death actions only) \$
- i. ☐ Other (specify) \$
- j. ☐ Other (specify) \$
- k. ☐ Continued on Attachment 2.k.

3. ☐ Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
when pursuing a judgment in the suit filed against you.

Date: November 2, 2021

John M. O'Brien
(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
(Personal Injury or Wrongful Death) Legal Solutions & Plus

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624 ATTORNEY FOR (name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a	TELEPHONE NO.: (916) 714-8200 FOR COURT USE ONLY CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)	

To (name of one defendant only): PENTAIR, INC., a Minnesota corporation
 Plaintiff (name of one plaintiff only): JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem,
 seeks damages in the above-entitled action, as follows: MARTHA DE LA TORRE

1. General damages

- | | AMOUNT |
|---|---------------|
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |

2. Special damages

- | | |
|--|----|
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |

3. ☐ **Punitive damages:** Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
 when pursuing a judgment in the suit filed against you.

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
 (Personal Injury or Wrongful Death)

Legal
 Solutions
 & Plus

Code of Civil Procedure, §§ 425.11, 425.115

Page 1 of 2

- DO NOT FILE WITH THE COURT -

CIV-050

- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): PENTAIR WATER POOL AND SPA, INC., a Delaware corporation
 Plaintiff (name of one plaintiff only): LETICIA ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |
| Date: November 2, 2021 | |

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): PENTAIR WATER POOL AND SPA, INC., a Delaware corporation

Plaintiff (name of one plaintiff only): MICHAEL ARTEAGA

seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
(Personal Injury or Wrongful Death)Legal
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& Plus

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624 ATTORNEY FOR (name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a	TELEPHONE NO.: (916) 714-8200 FOR COURT USE ONLY CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)	

To (name of one defendant only): PENTAIR WATER POOL AND SPA, INC., a Delaware corporation
 Plaintiff (name of one plaintiff only): JESSICA ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ _____ |
| c. <input type="checkbox"/> Loss of consortium | \$ _____ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ _____ |
| e. <input type="checkbox"/> Other (specify) | \$ _____ |
| f. <input type="checkbox"/> Other (specify) | \$ _____ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ _____ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ _____ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ _____ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ _____ |
| e. <input type="checkbox"/> Property damage | \$ _____ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ _____ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ _____ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ _____ |
| i. <input type="checkbox"/> Other (specify) | \$ _____ |
| j. <input type="checkbox"/> Other (specify) | \$ _____ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
when pursuing a judgment in the suit filed against you. | |

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -**- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): PENTAIR WATER POOL AND SPA, INC., a Delaware corporation
 Plaintiff (name of one plaintiff only): MICHELE DENISE ARTEAGA, a minor, by and through her Guardian ad Litem,
 seeks damages in the above-entitled action, as follows: MARTHA DE LA TORRE

1. General damages
- | | AMOUNT |
|---|---------------|
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
2. Special damages
- | | |
|--|----|
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
3. ☐ Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
 when pursuing a judgment in the suit filed against you.
 Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

- DO NOT FILE WITH THE COURT -**CIV-050****- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624		TELEPHONE NO.: (916) 714-8200	FOR COURT USE ONLY
ATTORNEY FOR (name): PLAINTIFFS			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME:			
PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a			
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)			CASE NUMBER: 30-2021-01227987-CU-PO-CJC

To (name of one defendant only): PENTAIR WATER POOL AND SPA, INC., a Delaware corporation
 Plaintiff (name of one plaintiff only): JOSEPH ARTEAGA
 seeks damages in the above-entitled action, as follows:

- | | AMOUNT |
|--|---------------|
| 1. General damages | |
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |
| 2. Special damages | |
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |
| 3. <input type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ | |
| when pursuing a judgment in the suit filed against you. | |
| Date: November 2, 2021 | |

John M. O'Brien

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

STATEMENT OF DAMAGES
(Personal Injury or Wrongful Death)Legal
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Code of Civil Procedure, §§ 425.11, 425.115

Page 1 of 2

CIV-050

- DO NOT FILE WITH THE COURT -
- UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 East Stockton Blvd., Suite 225 Elk Grove, CA 95624 ATTORNEY FOR (name): PLAINTIFFS SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: Central Justice Center MAILING ADDRESS: 700 Civic Center Drive West CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: PLAINTIFF: LETICIA ARTEAGA, et al., DEFENDANT: PENTAIR WATER POOL AND SPA, INC., et a	TELEPHONE NO.: (916) 714-8200 FOR COURT USE ONLY CASE NUMBER: 30-2021-01227987-CU-PO-CJC
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)	

To (name of one defendant only): PENTAIR WATER POOL AND SPA, INC., a Delaware corporation
 Plaintiff (name of one plaintiff only): JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem,
 seeks damages in the above-entitled action, as follows: MARTHA DE LA TORRE

1. General damages

- | | AMOUNT |
|---|-----------|
| a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience | \$ 50,000 |
| b. <input type="checkbox"/> Emotional distress | \$ |
| c. <input type="checkbox"/> Loss of consortium | \$ |
| d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only) | \$ |
| e. <input type="checkbox"/> Other (specify) | \$ |
| f. <input type="checkbox"/> Other (specify) | \$ |
| g. <input type="checkbox"/> Continued on Attachment 1.g. | |

2. Special damages

- | | |
|--|----|
| a. <input type="checkbox"/> Medical expenses (to date) | \$ |
| b. <input type="checkbox"/> Future medical expenses (present value) | \$ |
| c. <input type="checkbox"/> Loss of earnings (to date) | \$ |
| d. <input type="checkbox"/> Loss of future earning capacity (present value) | \$ |
| e. <input type="checkbox"/> Property damage | \$ |
| f. <input type="checkbox"/> Funeral expenses (wrongful death actions only) | \$ |
| g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only) | \$ |
| h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only) | \$ |
| i. <input type="checkbox"/> Other (specify) | \$ |
| j. <input type="checkbox"/> Other (specify) | \$ |
| k. <input type="checkbox"/> Continued on Attachment 2.k. | |

3. ☐ **Punitive damages:** Plaintiff reserves the right to seek punitive damages in the amount of (specify). \$ _____
 when pursuing a judgment in the suit filed against you.

Date: November 2, 2021

John M. O'Brien
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

ALTERNATIVE DISPUTE RESOLUTION (ADR)
INFORMATION PACKAGE

NOTICE TO PLAINTIFF(S) AND/OR CROSS-COMPLAINANT(S):

Rule 3.221(c) of the California Rules of Court requires you to serve a copy of the ADR Information Package along with the complaint and/or cross-complaint.

California Rules of Court – Rule 3.221
Information about Alternative Dispute Resolution (ADR)

- (a) Each court shall make available to the plaintiff, at the time of filing of the complaint, an ADR Information Package that includes, at a minimum, all of the following:
- (1) General information about the potential advantages and disadvantages of ADR and descriptions of the principal ADR processes.
 - (2) Information about the ADR programs available in that court, including citations to any applicable local court rules and directions for contacting any court staff responsible for providing parties with assistance regarding ADR.
 - (3) Information about the availability of local dispute resolution programs funded under the Dispute Resolutions Program Act (DRPA), in counties that are participating in the DRPA. This information may take the form of a list of the applicable programs or directions for contacting the county's DRPA coordinator.
 - (4) An ADR stipulation form that parties may use to stipulate to the use of an ADR process.
- (b) A court may make the ADR Information Package available on its website as long as paper copies are also made available in the clerk's office.
- (c) The plaintiff must serve a copy of the ADR Information Package on each defendant along with the complaint. Cross-complainants must serve a copy of the ADR Information Package on any new parties to the action along with the cross-complaint.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

ADR Information

Introduction.

Most civil disputes are resolved without filing a lawsuit, and most civil lawsuits are resolved without a trial. The courts and others offer a variety of Alternative Dispute Resolution (ADR) processes to help people resolve disputes without a trial. ADR is usually less formal, less expensive, and less time-consuming than a trial. ADR can also give people more opportunity to determine when and how their dispute will be resolved.

BENEFITS OF ADR.

Using ADR may have a variety of benefits, depending on the type of ADR process used and the circumstances of the particular case. Some potential benefits of ADR are summarized below.

Save Time. A dispute often can be settled or decided much sooner with ADR; often in a matter of months, even weeks, while bringing a lawsuit to trial can take a year or more.

Save Money. When cases are resolved earlier through ADR, the parties may save some of the money they would have spent on attorney fees, court costs, experts' fees, and other litigation expenses.

Increase Control Over the Process and the Outcome. In ADR, parties typically play a greater role in shaping both the process and its outcome. In most ADR processes, parties have more opportunity to tell their side of the story than they do at trial. Some ADR processes, such as mediation, allow the parties to fashion creative resolutions that are not available in a trial. Other ADR processes, such as arbitration, allow the parties to choose an expert in a particular field to decide the dispute.

Preserve Relationships. ADR can be a less adversarial and hostile way to resolve a dispute. For example, an experienced mediator can help the parties effectively communicate their needs and point of view to the other side. This can be an important advantage where the parties have a relationship to preserve.

Increase Satisfaction. In a trial, there is typically a winner and a loser. The loser is not likely to be happy, and even the winner may not be completely satisfied with the outcome. ADR can help the parties find win-win solutions and achieve their real goals. This, along with all of ADR's other potential advantages, may increase the parties' overall satisfaction with both the dispute resolution process and the outcome.

Improve Attorney-Client Relationships. Attorneys may also benefit from ADR by being seen as problem-solvers rather than combatants. Quick, cost-effective, and satisfying resolutions are likely to produce happier clients and thus generate repeat business from clients and referrals of their friends and associates.

DISADVANTAGES OF ADR.

ADR may not be suitable for every dispute.

Loss of protections. If ADR is binding, the parties normally give up most court protections, including a decision by a judge or jury under formal rules of evidence and procedure, and review for legal error by an appellate court.

Less discovery. There generally is less opportunity to find out about the other side's case with ADR than with litigation. ADR may not be effective if it takes place before the parties have sufficient information to resolve the dispute.

Additional costs. The neutral may charge a fee for his or her services. If a dispute is not resolved through ADR, the parties may have to put time and money into both ADR and a lawsuit.

Effect of delays if the dispute is not resolved. Lawsuits must be brought within specified periods of time, known as statutes of limitation. Parties must be careful not to let a statute of limitations run out while a dispute is in an ADR process.

TYPES OF ADR IN CIVIL CASES.

The most commonly used ADR processes are arbitration, mediation, neutral evaluation and settlement conferences.

Arbitration. In arbitration, a neutral person called an "arbitrator" hears arguments and evidence from each side and then decides the outcome of the dispute. Arbitration is less formal than a trial, and the rules of evidence are often relaxed. Arbitration may be either "binding" or "nonbinding." Binding arbitration means that the parties waive their right to a trial and agree to accept the arbitrator's decision as final. Generally, there is no right to appeal an arbitrator's decision. Nonbinding arbitration means that the parties are free to request a trial if they do not accept the arbitrator's decision.

Cases for Which Arbitration May Be Appropriate. Arbitration is best for cases where the parties want another person to decide the outcome of their dispute for them but would like to avoid the formality, time, and expense of a trial. It may also be appropriate for complex matters where the parties want a decision-maker who has training or experience in the subject matter of the dispute.

Cases for Which Arbitration May Not Be Appropriate. If parties want to retain control over how their dispute is resolved, arbitration, particularly binding arbitration, is not appropriate. In binding arbitration, the parties generally cannot appeal the arbitrator's award, even if it is not supported by the evidence or the law. Even in nonbinding arbitration, if a party requests a trial and does not receive a more favorable result at trial than in arbitration, there may be penalties.

Mediation. In mediation, an impartial person called a "mediator" helps the parties try to reach a mutually acceptable resolution of the dispute. The mediator does not decide the dispute but helps the parties communicate so they can try to settle the dispute themselves. Mediation leaves control of the outcome with the parties.

Cases for Which Mediation May Be Appropriate. Mediation may be particularly useful when parties have a relationship they want to preserve. So when family members, neighbors, or business partners have a dispute, mediation may be the ADR process to use. Mediation is also effective when emotions are getting in the way of resolution. An effective mediator can hear the parties out and help them communicate with each other in an effective and nondestructive manner.

Cases for Which Mediation May Not Be Appropriate. Mediation may not be effective if one of the parties is unwilling to cooperate or compromise. Mediation also may not be effective if one of the parties has a significant advantage in power over the other. Therefore, it may not be a good choice if the parties have a history of abuse or victimization.

Neutral Evaluation. In neutral evaluation, each party gets a chance to present the case to a neutral person called an "evaluator." The evaluator then gives an opinion on the strengths and weaknesses of each party's evidence and arguments and about how the dispute could be resolved. The evaluator is

often an expert in the subject matter of the dispute. Although the evaluator's opinion is not binding, the parties typically use it as a basis for trying to negotiate a resolution of the dispute.

Cases for Which Neutral Evaluation May Be Appropriate. Neutral evaluation may be most appropriate in cases in which there are technical issues that require special expertise to resolve or the only significant issue in the case is the amount of damages.

Cases for Which Neutral Evaluation May Not Be Appropriate. Neutral evaluation may not be appropriate when there are significant personal or emotional barriers to resolving the dispute.

Settlement Conferences. Settlement conferences may be either mandatory or voluntary. In both types of settlement conferences, the parties and their attorneys meet with a judge or a neutral person called a "settlement officer" to discuss possible settlement of their dispute. The judge or settlement officer does not make a decision in the case but assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. Settlement conferences are appropriate in any case where settlement is an option. Mandatory settlement conferences are often held close to the date a case is set for trial.

ADDITIONAL INFORMATION.

In addition to mediation, arbitration, neutral evaluation, and settlement conferences, there are other types of ADR, including conciliation, fact finding, mini-trials, and summary jury trials. Sometimes parties will try a combination of ADR types. The important thing is to try to find the type or types of ADR that are most likely to resolve your dispute.

To locate a dispute resolution program or neutral in your community:

- Contact the California Department of Consumer Affairs, Consumer Information Center, toll free, at 1-800-852-5210
- Contact the Orange County Bar Association at (949) 440-6700
- Look in the telephone directories under "Arbitrators" or "Mediators"

Low cost mediation services are provided under the Orange County Dispute Resolution Program Act (DRPA). For information regarding DRPA, contact:

- OC Human Relations (714) 480-6575, mediator@ochumanrelations.org
- Waymakers (949) 250-4058

For information on the Superior Court of California, County of Orange court ordered arbitration program, refer to Local Rule 360.

The Orange County Superior Court offers programs for Civil Mediation and Early Neutral Evaluation (ENE). For the Civil Mediation program, mediators on the Court's panel have agreed to accept a fee of \$300 for up to the first two hours of a mediation session. For the ENE program, members of the Court's panel have agreed to accept a fee of \$300 for up to three hours of an ENE session. Additional information on the Orange County Superior Court Civil Mediation and Early Neutral Evaluation (ENE) programs is available on the Court's website at www.occourts.org.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY For your protection and privacy, please press the Clear This Form button after you are done printing this form.
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE JUSTICE CENTER: <input type="checkbox"/> Central - 700 Civic Center Dr. West, Santa Ana, CA 92701-4045 <input type="checkbox"/> Civil Complex Center - 751 W. Santa Ana Blvd., Santa Ana, CA 92701-4512 <input type="checkbox"/> Harbor - Newport Beach Facility - 4601 Jamboree Rd., Newport Beach, CA 92660-2595 <input type="checkbox"/> North - 1275 N. Berkeley Ave., P.O. Box 5000, Fullerton, CA 92838-0500 <input type="checkbox"/> West - 8141 13 th Street, Westminster, CA 92683-4593	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
ALTERNATIVE DISPUTE RESOLUTION (ADR) STIPULATION	CASE NUMBER:

Plaintiff(s)/Petitioner(s), _____

and defendant(s)/respondent(s), _____

agree to the following dispute resolution process:

- ☐ Mediation
- ☐ Arbitration (must specify code)
- ☐ Under section 1141.11 of the Code of Civil Procedure
- ☐ Under section 1280 of the Code of Civil Procedure
- ☐ Neutral Case Evaluation

The ADR process must be completed no later than 90 days after the date of this Stipulation or the date the case was referred, whichever is sooner.

☐ I have an Order on Court Fee Waiver (FW-003) on file, and the selected ADR Neutral(s) are eligible to provide pro bono services.

☐ The ADR Neutral Selection and Party List is attached to this Stipulation.

We understand that there may be a charge for services provided by neutrals. We understand that participating in an ADR process does not extend the time periods specified in California Rules of Court, rule 3.720 et seq.

Date: _____ (SIGNATURE OF PLAINTIFF OR ATTORNEY) (SIGNATURE OF PLAINTIFF OR ATTORNEY)

Date: _____ (SIGNATURE OF DEFENDANT OR ATTORNEY) (SIGNATURE OF DEFENDANT OR ATTORNEY)

ALTERNATIVE DISPUTE RESOLUTION (ADR) STIPULATION

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 W. Civic Center DRIVE MAILING ADDRESS: 700 W. Civic Center Drive CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: Central Justice Center PLAINTIFF: Leticia Arteaga et.al.	FOR COURT USE ONLY FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE Oct 27, 2021 Clerk of the Court By: Katie Trent, Deputy
DEFENDANT: Pentair Water Pool and Spa, Inc. et.al.	
Short Title: ARTEAGA VS. PENTAIR WATER POOL AND SPA, INC.	
NOTICE OF HEARING CASE MANAGEMENT CONFERENCE	CASE NUMBER: 30-2021-01227987-CU-PO-CJC

Please take notice that a(n), Case Management Conference has been scheduled for hearing on 04/04/2022 at 09:00:00 AM in Department C32 of this court, located at Central Justice Center.

Plaintiff(s)/Petitioner(s) to provide notice to all defendant(s)/respondent(s). Parties who file pleadings that add new parties to the proceeding must provide notice of the Case Management Conference to the newly added parties.

IMPORTANT: Prior to your hearing date, please check the Court's website for the most current instructions regarding how to appear for your hearing and access services that are available to answer your questions.

Civil Matters - <https://www.occourts.org/media-relations/civil.html>

Probate/Mental Health - <https://www.occourts.org/media-relations/probate-mental-health.html>

IMPORTANTE: Antes de la fecha de su audiencia, visite el sitio web de la Corte para saber cuáles son las instrucciones más actuales para participar en la audiencia y tener acceso a los servicios disponibles para responder a sus preguntas.

Casos Civiles - <https://www.occourts.org/media-relations/civil.html>

Casos de Probate y Salud Mental - <https://www.occourts.org/media-relations/probate-mental-health.html>

QUAN TRONG: Trước ngày phiên tòa của quý vị, vui lòng kiểm tra trang mạng của tòa án để biết những hướng dẫn mới nhất về cách ra hầu phiên tòa của quý vị và tiếp cận những dịch vụ hiện có để giải đáp những thắc mắc của quý vị.

Vấn Đề Dân Sự - <https://www.occourts.org/media-relations/civil.html>

Thủ Tục Di Chúc/Sức Khỏe Tinh Thần - <https://www.occourts.org/media-relations/probate-mental-health.html>

Clerk of the Court, By: Katie Trent, Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Central Justice Center
700 W. Civic Center DRIVE
Santa Ana 92701

SHORT TITLE: ARTEAGA VS. PENTAIR WATER POOL AND SPA, INC.**CLERK'S CERTIFICATE OF SERVICE BY MAIL**

CASE NUMBER:
30-2021-01227987-CU-PO-CJC

I certify that I am not a party to this cause. I certify that a true copy of the above Notice of Hearing has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practices and addressed as indicated below. The certification occurred at Santa Ana, California, on 10/27/2021. Following standard court practice the mailing will occur at Sacramento, California on 10/28/2021.

Clerk of the Court, by: Katie Trent, Deputy

O'BRIEN & ZEHNDER
9401 E STOCKTON BOULEVARD # 225
ELK GROVE, CA 95624

CLERK'S CERTIFICATE OF SERVICE BY MAIL

Page: 2

Ankineh Zadoorian (SBN 295971)
QUARLES & BRADY LLP
2629 Foothill Blvd., #440
La Crescenta, CA 91214
Telephone: (608) 283-2684
Facsimile: (608) 251-9166
Email: Ankineh.Zadoorian@quarles.com

Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
MARTHA DE LA TORRE;

Plaintiffs,

v.

PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**DEFENDANT PENTAIR WATER POOL
AND SPA, INC.'S ANSWER TO
PLAINTIFF'S COMPLAINT FOR
DAMAGES**

Assigned for All Purposes Judge Martha K.
Gooding

Action Filed: October 25, 2021

Defendant Pentair Water Pool and Spa, Inc. ("Pentair"), by and through its attorneys,
Quarles & Brady LLP, answers the Complaint of Plaintiffs Leticia Arteaga, individually and as
Successor-In-Interest to Al Arteaga, Joseph Arteaga, Michael Arteaga, Jessica Arteaga, Michelle
Denise Arteaga by and through her Guardian ad litem Martha De La Torre, and Jacob Mason

Arteaga by and through his guardian ad litem (collectively referred to as “Plaintiffs”) for Damages, in this action as follows:

GENERAL DENIAL

Pursuant to Code of Civil Procedure Section 431.30, Pentair denies generally and specifically denies each and every allegation in the Complaint and each and every cause of action therein, and specifically denies that Plaintiffs have been damaged in the manner or sums alleged, or any lesser sums, or at all, and further denies that Pentair was negligent in any manner. Pentair further denies that the Pentair products described in the Complaint were defective in any way or that the alleged defect of the Pentair products was the proximate cause of the damages and/or injuries alleged by Plaintiffs.

Pentair herein alleges and sets forth separately and distinctly the following affirmative defenses to each and every cause of action alleged in the Complaint as though pleaded separately to each and every cause of action.

AFFIRMATIVE DEFENSES

As and for its affirmative defenses to the Complaint, Pentair hereby alleges as follows:

FIRST AFFIRMATIVE DEFENSE

The Complaint, and each separate cause of action alleged in it, fails to state facts sufficient to constitute a cause of action against Pentair.

SECOND AFFIRMATIVE DEFENSE

Pentair states that if any injuries or damages were sustained by Plaintiffs, they were caused or contributed to by the negligence or other wrongful conduct of Plaintiffs and/or persons, firms, corporations, governmental entities, governmental agencies, or entities other than Pentair and, therefore, the negligence of Plaintiffs, other defendants, and/or these third parties comparatively reduces the percentage of fault, if any, of Pentair.

THIRD AFFIRMATIVE DEFENSE

Pentair states that the damages allegedly suffered by Plaintiffs were caused solely by the superseding, intervening acts and conduct of Plaintiffs and/or other persons or parties which

1 intervened between Pentair's alleged acts and conduct and Plaintiffs' claimed damages, thereby
2 barring recovery in whole or in part.

3 **FOURTH AFFIRMATIVE DEFENSE**

4 Pentair states that the injuries and damages that Plaintiffs allege in the Complaint were
5 legally and proximately caused or contributed to by the negligence, fault, negligence per se,
6 assumption of risk, and other culpable conduct of Plaintiffs, and the amount of damages, if any,
7 that Plaintiffs may recover against Pentair must be diminished in proportion to such conduct that
8 contributed to the alleged injuries, losses or damages of Plaintiffs.

9 **FIFTH AFFIRMATIVE DEFENSE**

10 Pentair states that the injuries and damages that Plaintiffs allege in the Complaint were
11 legally and proximately caused by, and arose out of, risks which Plaintiffs had both knowledge of
12 and understood and that Plaintiffs voluntarily assumed.

13 **SIXTH AFFIRMATIVE DEFENSE**

14 Pentair states that recovery for the injuries and damages that Plaintiffs allege in the
15 Complaint are barred by Plaintiffs' primary assumption of the risk and/or reasonably implied
16 assumption of the risk.

17 **SEVENTH AFFIRMATIVE DEFENSE**

18 Pentair states that the risk of harm for which Plaintiffs seek to recover damages was open
19 and obvious or was a matter of common knowledge.

20 **EIGHTH AFFIRMATIVE DEFENSE**

21 Pentair states that the injuries and damages that Plaintiffs allege in the Complaint were
22 legally and proximately caused by the alteration or modification of the Pentair products described
23 in the Complaint.

24 **NINTH AFFIRMATIVE DEFENSE**

25 Pentair states that the injuries or damages alleged in the Complaint would not have occurred
26 if the Pentair products referenced in the Complaint had been used in its original, unaltered, and
27 unmodified condition.

28 ///

1 **TENTH AFFIRMATIVE DEFENSE**

2 Pentair states that the injuries and damages that Plaintiffs allege in the Complaint were
3 legally and proximately caused by the unforeseeable misuse or abuse of the Pentair products
4 referenced in the Complaint by Plaintiffs and/or a third party or third parties for which Pentair is
5 neither responsible or liable.

6 **ELEVENTH AFFIRMATIVE DEFENSE**

7 Pentair states that any defect which may have existed in the Pentair products claimed to be
8 defective by Plaintiffs in the Complaint, which defect is specifically denied, did not exist when the
9 product left the control of the manufacturer.

10 **TWELFTH AFFIRMATIVE DEFENSE**

11 Pentair states that Plaintiffs have failed to mitigate their damages, if any, in the manner and
12 to the extent required by law.

13 **THIRTEENTH AFFIRMATIVE DEFENSE**

14 Pentair states that if there is any comparative fault attributable to individuals or entities other
15 than Pentair, this percentage of fault shall comparatively reduce the non-economic damages, if any,
16 that Plaintiffs can recover from Pentair pursuant to Civil Code Sections 1431, *et seq.*

17 **FOURTEENTH AFFIRMATIVE DEFENSE**

18 Pentair states that Plaintiffs' claims are barred by a prior release of all claims.

19 **FIFTEENTH AFFIRMATIVE DEFENSE**

20 Pentair states that it is entitled to a set-off or credit in the amount of any settlement or
21 compromise reached by Plaintiffs with any other person for any of Plaintiffs' alleged damages.

22 **SIXTEENTH AFFIRMATIVE DEFENSE**

23 Pentair states that Plaintiffs' claims for damages are barred in whole or in part by the
24 limitations imposed by law as to the recovery of such damages.

25 **SEVENTEENTH AFFIRMATIVE DEFENSE**

26 Pentair states that Plaintiffs' claims are barred by the statute of limitations, including but
27 not limited to, the status of limitations set forth in the Code of Civil Procedure Sections 335.1, 338
28 and 340.4.

1 **EIGHTEENTH AFFIRMATIVE DEFENSE**

2 Pentair states that it discharged its duty to warn of dangers embodied in the Pentair products
3 described in the Complaint, if any such duty or dangers existed, by providing adequate warnings
4 and instructions to persons or entities in the chain of distribution of the products.

5 **NINETEENTH AFFIRMATIVE DEFENSE**

6 Pentair states that all or some of Plaintiffs' claims are barred because the Pentair products
7 described in the Complaint, including the components and/or systems therein, were not defective,
8 were not unreasonably dangerous, and were both merchantable and fit for its purposes when it left
9 the possession of the manufacturer.

10 **TWENTIETH AFFIRMATIVE DEFENSE**

11 Plaintiffs are precluded from proceeding against Pentair to the extent Plaintiffs failed to
12 preserve or to cause others to preserve evidence relating to the accident that forms the subject matter
13 of this action.

14 **TWENTY-FIRST AFFIRMATIVE DEFENSE**

15 Pentair states that the design and method of manufacture of the Pentair products described
16 in the Complaint conformed to the generally recognized and prevailing standards or state of the art
17 in existence at the time of the filter's design and manufacture.

18 **TWENTY-SECOND AFFIRMATIVE DEFENSE**

19 Pentair states that no alternative design or formulation was available that would have
20 prevented the harm for which Plaintiffs seek to recover damages and not impair the products at
21 issue.

22 **TWENTY-THIRD AFFIRMATIVE DEFENSE**

23 Pentair states that the injuries and damages, if any, Plaintiffs seek to recover resulted from
24 characteristics or risks recognized by the ordinary person with the ordinary knowledge common to
25 the community.

26 ///

27 ///

28 ///

1 **TWENTY-FOURTH AFFIRMATIVE DEFENSE**

2 Pentair states that Plaintiffs' claims are barred because all injuries and damages alleged
3 were the result of unreasonable use, negligent failure to maintain or service, or inattention by parties
4 other than Pentair to the Pentair products described in the Complaint.

5 **TWENTY-FIFTH AFFIRMATIVE DEFENSE**

6 Pentair states that Plaintiffs' claims are barred because Pentair at all times exercised a
7 degree of care that is required by law.

8 **TWENTY-SIXTH AFFIRMATIVE DEFENSE**

9 Pentair states that Plaintiffs' claims are barred in whole or in part by the absence of any
10 breach of any duty owed by Pentair.

11 **TWENTY-SEVENTH AFFIRMATIVE DEFENSE**

12 Pentair states that all components or systems claimed defective by Plaintiffs on the Pentair
13 products described in the Complaint complied in all respects with all applicable laws, regulations,
14 and standards to which such components or systems are in any respect subject.

15 **TWENTY-EIGHTH AFFIRMATIVE DEFENSE**

16 Pentair affirmatively alleges that instructions and warnings provided with the Pentair
17 products described in the Complaint were adequate in its content and informed ordinary users of
18 the proper way to operate the products, including any of its components, and the specific risk of
19 harm that may be involved in its use. Notwithstanding these instructions and warnings, the Pentair
20 Products described in the Complaint, upon information and belief, were used in a manner for which
21 they were not intended to be used and contrary to express and adequate instructions and warnings,
22 this misuse or failure to heed warnings or to follow instructions proximately caused the injuries
23 alleged in the Complaint.

24 **TWENTY-NINTH AFFIRMATIVE DEFENSE**

25 To the extent that Plaintiffs seeks to impose liability on Pentair based upon the acts or
26 omissions of Enrique Cenicerros, as M-C-Pool, the Complaint fails to state a claim because Enrique
27 Cenicerros, as M-C-Pool, is not Pentair's agent.
28

THIRTIETH AFFIRMATIVE DEFENSE

Plaintiffs' product liability causes of action are barred because the subject products were consistent with or exceeded consumer expectations. Notwithstanding the claims and contentions of Plaintiffs, Plaintiffs received all or substantially all of the benefit from the subject product Plaintiffs hoped and intended to receive, and, to that extent, any damages and/or restitution Plaintiffs might be entitled to recover from Pentair must be correspondingly reduced.

THIRTY-FIRST AFFIRMATIVE DEFENSE

Pentair has not knowingly or intentionally waived any applicable affirmative defenses and reserves the right to assert and rely on any other applicable defenses as may become available or apparent during discovery proceedings, Pentair further reserves the right to delete affirmative defenses Pentair determines are no longer applicable, and to amend this answer or these affirmative defenses accordingly. Pentair reserves the right to assert further affirmative defenses that may become known at a later time and which Pentair had no reason to know the existence of at the time of the filing of this Answer.

PRAYER

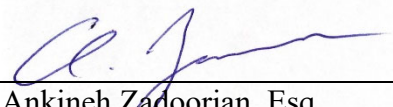
WHEREFORE, Pentair prays as follows:

1. For judgment in favor of Pentair and against Plaintiffs;
2. For dismissal of the Complaint with prejudice;
3. For costs of suit, including attorneys' fees; and
4. For such other and further relief as the Court may deem just and proper.

Dated: February 7, 2022

QUARLES & BRADY LLP

By


 Ankinch Zadoorian, Esq.
 Attorneys for Defendant
 Pentair Water Pool and Spa, Inc.

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is 2 North Central Avenue, Phoenix, Arizona 85004. On February 7, 2022, I caused to be served the following document(s):

**DEFENDANT PENTAIR WATER POOL AND SPA, INC.'S
ANSWER TO PLAINTIFF'S COMPLAINT FOR DAMAGES**

On the party stated below by the following means of service:

- ☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.
- ☒ By One Legal I caused a true and correct copy of the above-entitled document(s) to be served electronically through One Legal to all parties appearing on the One Legal electronic service list for the above-entitled case, if available.
- ☐ By Personal Service I caused each such envelope to be given to a courier messenger with instructions to deliver each such envelope to the office of the below-referenced attorneys of record.
- ☐ By Overnight Courier I caused each such envelope to be placed in a sealed package designated by Federal Express and depositing same in an overnight express receptacle maintained by Federal Express, Phoenix, Arizona, with delivery fees provided for, with instructions to be hand delivered to the office of the addressee on the next business day.
- ☐ By Facsimile Fax Number (see below)
- ☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed as follows:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

1 I declare under penalty of perjury under the laws of the State of Arizona that the foregoing
2 is true and correct and that this declaration was executed on February 7, 2022.

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5 Declarant
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Ankineh Zadoorian (SBN 295971)
QUARLES & BRADY LLP
2629 Foothill Blvd., #440
La Crescenta, CA 91214
Telephone: (608) 283-2684
Facsimile: (608) 251-9166
Email: Ankineh.Zadoorian@quarles.com

Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
MARTHA DE LA TORRE;

Plaintiffs,

v.

PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**DEFENDANT PENTAIR WATER POOL
AND SPA, INC.'S NOTICE OF POSTING
JURY FEES**

Assigned for All Purposes Judge Martha K.
Gooding

Action Filed: October 25, 2021

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

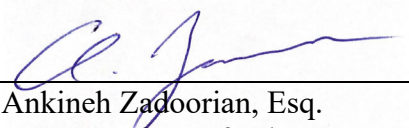
Defendant Pentair Water Pool and Spa, Inc. ("Pentair") has posted jury fees in the amount
of \$150.00 in the above-captioned matter.

///

1 Dated: February 7, 2022

QUARLES & BRADY LLP

2
3 By



4 Ankineh Zadoorian, Esq.
5 Attorneys for Defendant
6 Pentair Water Pool and Spa, Inc.
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CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is 2 North Central Avenue, Phoenix, Arizona 85004. On February 7, 2022, I caused to be served the following document(s):

DEFENDANT PENTAIR WATER POOL AND SPA, INC.'S NOTICE OF POSTING JURY FEES

On the party stated below by the following means of service:

- ☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.
- ☒ By One Legal I caused a true and correct copy of the above-entitled document(s) to be served electronically through One Legal to all parties appearing on the One Legal electronic service list for the above-entitled case, if available.
- ☐ By Personal Service I caused each such envelope to be given to a courier messenger with instructions to deliver each such envelope to the office of the below-referenced attorneys of record.
- ☐ By Overnight Courier I caused each such envelope to be placed in a sealed package designated by Federal Express and depositing same in an overnight express receptacle maintained by Federal Express, Phoenix, Arizona, with delivery fees provided for, with instructions to be hand delivered to the office of the addressee on the next business day.
- ☐ By Facsimile Fax Number (see below)
- ☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed as follows:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

1 I declare under penalty of perjury under the laws of the State of Arizona that the foregoing
2 is true and correct and that this declaration was executed on February 7, 2022.

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Ankineh Zadoorian (SBN 295971)
QUARLES & BRADY LLP
2629 Foothill Blvd., #440
La Crescenta, CA 91214
Telephone: (608) 283-2684
Facsimile: (608) 251-9166
Email: Ankineh.Zadoorian@quarles.com

Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ORANGE

LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
MARTHA DE LA TORRE;

Plaintiffs,

v.

PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**DEFENDANT PENTAIR WATER POOL
AND SPA, INC.'S DEMAND FOR JURY
TRIAL**

Assigned for All Purposes Judge Martha K.
Gooding

Action Filed: October 25, 2021

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

Defendant Pentair Water Pool and Spa, Inc. ("Pentair"), by and through its attorneys, hereby
demands a jury trial in the above-captioned matter.

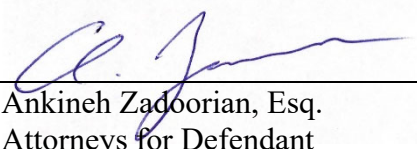
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1 Dated: February 7, 2022

QUARLES & BRADY LLP

2
3 By


Ankineh Zadoorian, Esq.
Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is 2 North Central Avenue, Phoenix, Arizona 85004. On February 7, 2022, I caused to be served the following document(s):

DEFENDANT PENTAIR WATER POOL AND SPA, INC.'S DEMAND FOR JURY TRIAL

On the party stated below by the following means of service:

- ☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.
- ☒ By One Legal I caused a true and correct copy of the above-entitled document(s) to be served electronically through One Legal to all parties appearing on the One Legal electronic service list for the above-entitled case, if available.
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- ☐ By Facsimile Fax Number (see below)
- ☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed as follows:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

1 I declare under penalty of perjury under the laws of the State of Arizona that the foregoing
2 is true and correct and that this declaration was executed on February 7, 2022.

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ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name & Address</i>): Ankinah Zadoorian, Quarles & Brady LLP 2629 Foothill Blvd., #440 La Crescenta, CA 91214 Telephone No.: (608) 283-2684 Fax No. (Optional): (608) 251-9166 E-Mail Address (Optional): ATTORNEY FOR (<i>Name</i>): Pentair Water & Spa, Inc. Bar No: 295971	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE <input checked="" type="checkbox"/> Central Justice Center, 700 Civic Center Dr. West, Santa Ana, CA 92701-4045 <input type="checkbox"/> Civil Complex Center, 751 W. Santa Ana Blvd., Santa Ana, CA 92701-4512	
PLAINTIFF/PETITIONER: Leticia Arteaga, et al. DEFENDANT/RESPONDENT: Pentair Water Pool & Spa, Inc.	CASE NUMBER: 30-2021-01227987-CU-PO-CJC
JOINT MEET AND CONFER STATEMENT Unlimited Civil	Case assigned to: Judge: Martha K. Gooding Department: C31 Date complaint filed: October 25, 2021 Hearing/trial date: TBD

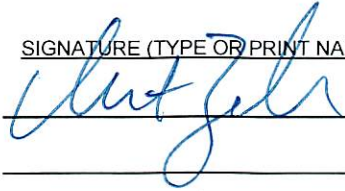
Pursuant to Rule 315 of the Local Rules – Superior Court of California, County of Orange, the counsel for all parties have met and conferred on the following issues:

- Those facts currently known which support the allegations of the pleadings filed by each party, it being expressly understood that no statement made at this conference can be used against the party making the statement in these proceedings.
- Possible settlement of this action including possible stipulations for mandatory or binding arbitration.
 ** Indicate name(s) of any arbitrator(s) agreed upon: Not agreeable to arbitration at this time.
- The following discovery has been tentatively scheduled.

<u>PARTY</u>	<u>DESCRIPTION</u>	<u>DATE</u>
<u>Parties</u>	<u>Written Discovery</u>	<u>Pursuant to Code</u>
<u>Parties</u>	<u>Deposition of Percipient Witnesses</u>	<u>Pursuant to Code</u>
<u>Defendant Pentair Water Pool & Spa, Inc.</u>	<u>Site and Device Inspection</u>	<u>4/12/2022</u>

(attach a separate sheet of paper if necessary)

NOTE: Failure to comply and file this document may result in sanctions pursuant to Rule 381 of the Orange County Superior Court Rules.

<u>ATTORNEY FOR</u>	<u>SIGNATURE (TYPE OR PRINT NAME BELOW)</u>	<u>DATE</u>
<u>Plaintiffs Leticia Arteaga, et al</u>		<u>3/9/22</u>
<u>Defendant Pentair Water Pool & Spa, Inc.</u>	<u>/s/Ankinah Zadoorian</u>	<u>3/8/2022</u>

**Parties may stipulate to court-ordered arbitration prior to the case management conference. Counsel may secure a list of arbitrators from the Arbitration Office. A stipulation to court-ordered arbitration does not constitute a plaintiff's election to arbitrate pursuant to Code of Civil Procedure, section 1141.12(b) or California Rules of Court, rule 3.810.

JOINT MEET AND CONFER STATEMENT

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is 2 North Central Avenue, Phoenix, Arizona 85004. On March 8, 2022, I caused to be served the following document(s):

JOINT MEET AND CONFER STATEMENT

On the party stated below by the following means of service:

- ☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.
- ☒ By One Legal I caused a true and correct copy of the above-entitled document(s) to be served electronically through One Legal to all parties appearing on the One Legal electronic service list for the above-entitled case, if available.
- ☐ By Personal Service I caused each such envelope to be given to a courier messenger with instructions to deliver each such envelope to the office of the below-referenced attorneys of record.
- ☐ By Overnight Courier I caused each such envelope to be placed in a sealed package designated by Federal Express and depositing same in an overnight express receptacle maintained by Federal Express, Phoenix, Arizona, with delivery fees provided for, with instructions to be hand delivered to the office of the addressee on the next business day.
- ☐ By Facsimile Fax Number (see below)
- ☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed as follows:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on March 8, 2022.



Declarant

1 John M. O'Brien (SBN 148757)
Grant R. Zehnder (SBN 271228)
2 **O'BRIEN & ZEHNDER**
9401 East Stockton Boulevard, Suite 225
3 Elk Grove, California 95624
Telephone: (916) 714-8200
4 Facsimile: (916) 714-8201

5 Attorneys for Plaintiffs
LETICIA ARTEAGA, JOSEPH ARTEAGA,
6 MICHAEL ARTEAGA, JESSICA ARTEAGA,
MICHELE DENISE ARTEAGA, a minor, by
7 and through her Guardian ad Litem, MARTHA
DE LA TORRE, and JACOB MASON
8 ARTEAGA, a minor, by and through his
Guardian ad Litem, MARTHA DE LA TORRE
9

10
11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 IN AND FOR THE COUNTY OF ORANGE
13

14 LETICIA ARTEAGA, et al.,

15 Plaintiffs,

16 vs.

17 PENTAIR WATER POOL AND SPA,
INC., et al.,

18 Defendants.
19

Case No. 30-2021-01227987-CU-PO-CJC

Assigned for All Purposes to
Judge Martha K. Gooding

**DEMAND FOR JURY AND NOTICE
OF POSTING JURY FEES PURSUANT
TO C.C.P. § 631**

20 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

21 PLEASE TAKE NOTICE that plaintiffs, LETICIA ARTEAGA, JOSEPH
22 ARTEAGA, MICHAEL ARTEAGA, JESSICA ARTEAGA, MICHELE DENISE
23 ARTEAGA, and JACOB MASON ARTEAGA, hereby demand a trial by jury and hereby
24 post jury fees in the amount of \$150.00.

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1 DATED: March 15, 2022

O'BRIEN & ZEHNDER

2
3 By:


JOHN M. O'BRIEN

4
5 Attorneys for Plaintiffs LETICIA
6 ARTEAGA, JOSEPH ARTEAGA,
7 MICHAEL ARTEAGA, JESSICA
8 ARTEAGA, MICHELE DENISE
9 ARTEAGA, a minor, by and through her
10 Guardian ad Litem, MARTHA DE LA
11 TORRE, and JACOB MASON ARTEAGA,
12 a minor, by and through his Guardian ad
13 Litem, MARTHA DE LA TORRE
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ARTEAGA, et al. vs. PENTAIR WATER POOL AND SPA, INC., et al.
Orange County Superior Court, Case No. 30-2021-01227987-CU-PO-CJC

PROOF OF SERVICE

I, Brenda S. Marchant, declare:

I am a citizen of the United States and a resident of the County of Sacramento; I am over the age of eighteen years and not a party to the within above-entitled action; my business mailing address is 9401 East Stockton Blvd., Suite 225, Elk Grove, California 95624.

On March 15, 2022, I served the following documents:

**DEMAND FOR JURY AND NOTICE OF POSTING JURY FEES
PURSUANT TO C.C.P. § 631**

_____ via United States mail by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing mail in accordance with this firm's practice, whereby the mail is deposited in a United States mailbox in the City of Elk Grove, California before the close of the day's business

_____ via Overnight Express Mail Courier, _____

_____ via Facsimile, followed by U.S. Mail

X via Electronic Mail Only

on the parties to this action at the addresses indicated below:

**Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.**
Ankineh Zadoorian
Quarles & Brady LLP
2629 Foothill Blvd., Suite 440
La Crescenta, CA 91214
Tel: (608) 283-2684
Fax: (608) 251-9166
ankineh.zadoorian@quarles.com
dawn.mccombs@quarles.com

**Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.**
Eric Matzke
Quarles & Brady LLP
411 East Wisconsin Avenue, Suite 2400
Milwaukee, WI 53202-4428
Tel: (414) 277-5335
eric.matzke@quarles.com

I declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 15, 2022, at Elk Grove, California.


Brenda S. Marchant

CM-110

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 E. Stockton Blvd., Suite 225 Elk Grove, CA 95624 TELEPHONE NO.: (916) 714-8200 FAX NO. (Optional): (916) 714-8201 E-MAIL ADDRESS (Optional): jobrien@ozlaw.com ATTORNEY FOR: <u>Plaintiffs</u>		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 W. Civic Center Drive MAILING ADDRESS: Santa Ana, CA 92701 CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al. DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.		
CASE MANAGEMENT STATEMENT (Check one): <input checked="" type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000) <input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)		CASE NUMBER: 30-2021-01227987-CU-PO-CJC
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: 04/04/22 Time: 9:00 a.m. Dept.: C31 Div.: Room: Address of court (if different from the address above): <input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): John M. O'Brien or Grant R. Zehnder		

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

- Party or parties (answer one):** Leticia Arteaga, Joseph Arteaga, Michael Arteaga,
 a. ☒ This statement is submitted by party (name): Jessica Arteaga, Michele Denise Arteaga, Jacob Mason
 b. ☐ This statement is submitted jointly by parties (names): Arteaga
- Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 a. The complaint was filed on (date): October 25, 2021
 b. ☐ The cross-complaint, if any, was filed on (date):
- Service (to be answered by plaintiffs and cross-complainants only)**
 a. ☒ All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 b. ☒ The following parties named in the complaint or cross-complaint
 (1) ☐ have not been served (specify names and explain why not):
 (2) ☒ have been served but have not appeared and have not been dismissed (specify names): Enrique Cenicerros, an individual doing business as M-C-Pool
 (3) ☐ have had a default entered against them (specify names):

 c. ☐ The following additional parties may be added (specify names, nature of involvement in case, and date by which they may be served):
- Description of case**
 a. Type of case in ☒ complaint ☐ cross-complaint (Describe, including causes of action):
 Causes of action for negligence, strict product liability, and failure to warn.

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.	30-2021-01227987-CU-PO-CJC

4. b. Provide a brief statement of the case, including any damages. (If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)

Plaintiffs are the heirs of Al Arteaga who was fatally injured when his pool filtration system malfunctioned, exploded and struck him with great force causing his death.

☐ (If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. Jury or nonjury trial

The party or parties request ☒ a jury trial ☐ a nonjury trial. (If more than one party, provide the name of each party requesting a jury trial):

6. Trial date

a. ☐ The trial has been set for (date):

b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (if not, explain):

c. Dates on which parties or attorneys will not be available for trial (specify dates and explain reasons for unavailability):

Scheduled trials: 5/16/22 (Sacramento), 9/19/22 (San Joaquin), 10/3/22 (Glenn), 10/24/22 (Placer), 11/7/22 (Sacramento), 3/13/23 (Sacramento), 4/3/23 (San Joaquin), 4/17/23 (Sacramento), 5/8/23 (Sacramento), and 5/22/23 (Sacramento). Trial counsel will be out of the country from June 14, 2022 through July 31, 2022.

7. Estimated length of trial

The party or parties estimate that the trial will take (check one):

a. ☒ days (specify number): 10 to 12 days

b. ☐ hours (short causes) (specify):

8. Trial representation (to be answered for each party)

The party or parties will be represented at trial ☒ by the attorney or party listed in the caption ☐ by the following:

a. Attorney:

b. Firm:

c. Address:

d. Telephone number:

f. Fax number:

e. E-mail address:

g. Party represented:

☐ Additional representation is described in Attachment 8.

9. Preference

☐ This case is entitled to preference (specify code section):

10. Alternative dispute resolution (ADR)

a. ADR Information package. Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.

(1) For parties represented by counsel: Counsel ☐ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.

(2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.

b. Referral to judicial arbitration or civil action mediation (if available).

(1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.

(2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

(3) ☒ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (specify exemption): The amount in controversy exceeds the statutory limits.

CM-110

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.	30-2021-01227987-CU-PO-CJC

10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (check all that apply and provide the specified information):

	The party or parties completing this form are willing to participate in the following ADR processes (check all that apply):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (attach a copy of the parties' ADR stipulation):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (specify):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

CM-110

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.	30-2021-01227987-CU-PO-CJC

11. Insurance

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. ☐ There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- ☐ Additional cases are described in Attachment 13a.
- b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by (*name party*):

14. Bifurcation

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- ☒ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
- Unknown at this time.

16. Discovery

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):
- | Party | Description | Date |
|------------|---|-------------|
| Plaintiffs | Written discovery to the defendants. | May 2022 |
| Plaintiffs | Depositions of the defendants and percipient witnesses. | August 2022 |
| Plaintiffs | Depositions of expert witnesses. | Per Code |
- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

CM-110

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.	30-2021-01227987-CU-PO-CJ

17. Economic litigation

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other Issues

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference (specify):

19. Meet and confer

- a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: March 15, 2022

JOHN M. O'BRIEN

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

ARTEAGA, et al. vs. PENTAIR WATER POOL AND SPA, INC., et al.
Orange County Superior Court, Case No. 30-2021-01227987-CU-PO-CJC

PROOF OF SERVICE

I, Brenda S. Marchant, declare:

I am a citizen of the United States and a resident of the County of Sacramento; I am over the age of eighteen years and not a party to the within above-entitled action; my business mailing address is 9401 East Stockton Blvd., Suite 225, Elk Grove, California 95624.

On March 15, 2022, I served the following documents:

CASE MANAGEMENT STATEMENT

_____ via United States mail by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing mail in accordance with this firm's practice, whereby the mail is deposited in a United States mailbox in the City of Elk Grove, California before the close of the day's business

_____ via Overnight Express Mail Courier, _____

_____ via Facsimile, followed by U.S. Mail

 X via Electronic Mail Only

on the parties to this action at the addresses indicated below:

Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.
Ankineh Zadoorian
Quarles & Brady LLP
2629 Foothill Blvd., Suite 440
La Crescenta, CA 91214
Tel: (608) 283-2684
Fax: (608) 251-9166
ankineh.zadoorian@quarles.com
dawn.mccombs@quarles.com

Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.
Eric Matzke
Quarles & Brady LLP
411 East Wisconsin Avenue, Suite 2400
Milwaukee, WI 53202-4428
Tel: (414) 277-5335
eric.matzke@quarles.com

I declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 15, 2022, at Elk Grove, California.


Brenda S. Marchant

Gandee, Julie A. (MKE x1354)

From: Matzke, Eric W. (MKE x1335)
Sent: Friday, March 18, 2022 5:50 PM
To: Gandee, Julie A. (MKE x1354)
Subject: Fwd: Pro Hac Vice Application Approval Notice

Sent from my iPhone



Eric Matzke / Partner

Eric.Matzke@quarles.com / [LinkedIn](#) [BIO](#) [vCard](#)

Quarles & Brady LLP

411 East Wisconsin Avenue, Suite 2400 / Milwaukee, WI 53202-4428

Office 414-277-5335 / Cell 262-408-1609 / quarles.com

Assistant Julie Gandee 414-277-5354

[VISIT our COVID-19: Guidance for Clients page for the latest updates from Q&B attorneys](#)

Begin forwarded message:

From: State Bar of California - Special Admissions <special.admissions@calbar.ca.gov>
Date: March 18, 2022 at 5:30:50 PM CDT
To: "McCombs, Dawn (PHX x3514)" <Dawn.McCombs@quarles.com>, "Matzke, Eric W. (MKE x1335)" <Eric.Matzke@quarles.com>
Subject: Pro Hac Vice Application Approval Notice



The State Bar
of California

OFFICE OF ADMISSIONS

Application's Case Number: 00789375

Trial Case Name: Leticia Arteaga v. Pentair Water Pool and Spa, Inc., et al.

Trial Case Number: 30-2021-01227987-CU-PO-CJC

Dear Eric W. Matzke,

Your Pro Hac Vice application has been successfully filed and approved with the State Bar of California, Office of Admissions.

The successful filing of this application is restricted to the above case only.

Any future documents relating to this particular case must be provided to the State Bar by responding directly to this email, with the document(s) attached. Please do not mail any physical documents to the Admissions office.

If you have any questions regarding this matter, please contact the Special Admissions department at the number below.

Sincerely,

Office of Admissions
State Bar of California
(415) 538-2300

ref:_00Dt0TZax._500t0y6IUy:ref

CONFIDENTIALITY NOTICE: This electronic mail transmission and any attachments are confidential and may be privileged. They should be read or retained only by the intended recipient. If you have received this transmission in error, please notify the sender immediately and delete the transmission from your system.

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 04/04/2022 TIME: 09:00:00 AM DEPT: C31
JUDICIAL OFFICER PRESIDING: Martha K. Gooding
CLERK: Delia S Nunez
REPORTER/ERM: None
BAILIFF/COURT ATTENDANT: Deanna Parsons

CASE NO: **30-2021-01227987-CU-PO-CJC** CASE INIT.DATE: 10/25/2021
CASE TITLE: **Arteaga vs. Pentair Water Pool and Spa, Inc.**
CASE CATEGORY: Civil - Unlimited CASE TYPE: PI/PD/WD - Other

EVENT ID/DOCUMENT ID: 73634831

EVENT TYPE: Case Management Conference

MOVING PARTY: Joseph Arteaga, Michele Denise Arteaga, Michael Arteaga, Jessica Arteaga, Jacob Mason Arteaga, Leticia Arteaga

CAUSAL DOCUMENT/DATE FILED: Complaint, 10/25/2021

APPEARANCES

Grant Zehnder, from O'Brien & Zehnder, present for Plaintiff, Minor(s) remotely.

Ankineh Zadoorian, from Quarles & Brady LLP, present for Defendant(s) remotely.

Case Management Conference held, all participants appearing remotely.

Court notes that Defendant Enrique Cenicerros has been served but has not filed a responsive pleading.

Counsel for Plaintiff represents to the Court that he is still trying to determine if Enrique Cenicerros is a party in this case. Defendant Enrique Cenicerros is currently scheduled to be deposed at the end of April.

Case Management Conference continued to 05/09/2022 at 09:00 AM in this department pursuant to party's motion.

Court orders Plaintiff to give notice.

1 John M. O'Brien (SBN 148757)
Grant R. Zehnder (SBN 271228)
2 **O'BRIEN & ZEHNDER**
9401 East Stockton Boulevard, Suite 225
3 Elk Grove, California 95624
Telephone: (916) 714-8200
4 Facsimile: (916) 714-8201

5 Attorneys for Plaintiffs
LETICIA ARTEAGA, JOSEPH ARTEAGA,
6 MICHAEL ARTEAGA, JESSICA ARTEAGA,
MICHELE DENISE ARTEAGA, a minor, by
7 and through her Guardian ad Litem, MARTHA
DE LA TORRE, and JACOB MASON
8 ARTEAGA, a minor, by and through his
Guardian ad Litem, MARTHA DE LA TORRE
9

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF ORANGE

12 LETICIA ARTEAGA, et al.,

13 Plaintiffs,

14 vs.

15 PENTAIR WATER POOL AND SPA,
16 INC., et al.,

17 Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

Assigned for All Purposes to
Judge Martha K. Gooding

**NOTICE OF CASE MANAGEMENT
CONFERENCE**

18 NOTICE IS HEREBY GIVEN that the Court has scheduled a Case Management
19 Conference in the above-referenced matter for May 9, 2022 at 9:00 a.m. in the Orange
20 County Superior Court, Department C31, located at 700 W. Civic Center Drive, Santa Ana,
21 California.

22 DATED: April 7, 2022

O'BRIEN & ZEHNDER

23
24 By: 
JOHN M. O'BRIEN

25 Attorneys for Plaintiffs LETICIA
26 ARTEAGA, JOSEPH ARTEAGA,
MICHAEL ARTEAGA, JESSICA
27 ARTEAGA, MICHELE DENISE
ARTEAGA, and JACOB MASON
28 ARTEAGA

ARTEAGA, et al. vs. PENTAIR WATER POOL AND SPA, INC., et al.
Orange County Superior Court, Case No. 30-2021-01227987-CU-PO-CJC

PROOF OF SERVICE

I, Brenda S. Marchant, declare:

I am a citizen of the United States and a resident of the County of Sacramento; I am over the age of eighteen years and not a party to the within above-entitled action; my business mailing address is 9401 East Stockton Blvd., Suite 225, Elk Grove, California 95624.

On April 7, 2022, I served the following documents:

NOTICE OF CASE MANAGEMENT CONFERENCE

_____ via United States mail by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing mail in accordance with this firm's practice, whereby the mail is deposited in a United States mailbox in the City of Elk Grove, California before the close of the day's business

_____ via Overnight Express Mail Courier, _____

_____ via Facsimile, followed by U.S. Mail

 X via Electronic Mail Only

on the parties to this action at the addresses indicated below:

**Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.**
Ankineh Zadoorian
Quarles & Brady LLP
2629 Foothill Blvd., Suite 440
La Crescenta, CA 91214
Tel: (608) 283-2684
Fax: (608) 251-9166
ankineh.zadoorian@quarles.com
dawn.mccombs@quarles.com

**Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.**
Eric Matzke
Quarles & Brady LLP
411 East Wisconsin Avenue, Suite 2400
Milwaukee, WI 53202-4428
Tel: (414) 277-5335
eric.matzke@quarles.com

I declare under the penalty of perjury that the foregoing is true and correct and that this declaration was executed on April 7, 2022, at Elk Grove, California.


Brenda S. Marchant

Ankineh Zadoorian (SBN 295971)
QUARLES & BRADY LLP
2629 Foothill Blvd., #440
La Crescenta, CA 91214
Telephone: (608) 283-2684
Facsimile: (608) 251-9166
Email: Ankineh.Zadoorian@quarles.com

Attorneys for Defendant PENTAIR WATER POOL AND SPA, INC.

John M. O'Brien (SBN 148757)
Grant R. Zehnder (SBN 271228)
O'BRIEN & ZEHNDER LAW FIRM
9401 E. Stockton Blvd., Suite 225
Elk Grove, CA 95624
Telephone: (916) 714-8200
Facsimile: (916) 714-8201
Emails: jobrien@ozlaw.com
gzehnder@ozlaw.com

Attorneys for Plaintiffs LETICIA ARTEAGA, individually and as Successor-In-Interest to Al Arteaga; JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual; JESSICA ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and through her Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ORANGE

LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
MARTHA DE LA TORRE;

Plaintiffs,

v.

PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE;
AND [PROPOSED] ORDER**

Assigned for All Purposes Judge
Martha K. Gooding

Action Filed: October 25, 2021
Trial Date: TBD

1 **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THROUGH THEIR**
2 **ATTORNEYS OF RECORD HEREIN:**

3 Plaintiffs, LETICIA ARTEAGA, individually and as Successor-In-Interest to Al Arteaga;
4 JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual; JESSICA ARTEAGA,
5 an individual MICHELE DENISE ARTEAGA, a minor, by and through her Guardian ad Litem,
6 MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a minor, by and through his Guardian
7 ad Litem, MARTHA DE LA TORRE, and Defendant PENTAIR WATER POOL AND SPA, INC.
8 (collectively referred to as the “Parties”), by and through their respective attorneys of record, hereby
9 stipulate, agree, and represent to the Court as follows:

10 1. This action was filed on October 24, 2021.

11 2. Defendant Pentair Water Pool and Spa, Inc. answered the Complaint on February 7,
12 2022.

13 4. On April 4, 2022, a Case Management Conference was held in this action. Attached
14 hereto as **Exhibit A** is a true and correct copy of the Minute Order for the Case Management
15 Conference held on April 4, 2022.

16 5. At the Case Management Conference held on April 4, 2022, it was noted that
17 Defendant Enrique Cenicerros was served with the Complaint but had not yet filed a responsive
18 pleading.

19 6. The Court continued the Case Management Conference to May 9, 2022, at 9:00 a.m.
20 in order to allow for the deposition of Mr. Cenicerros to be scheduled and completed. The
21 completion of Mr. Cenicerros’s deposition is necessary for determination by Plaintiffs if the
22 dismissal of Mr. Cenicerros from the action would be appropriate and for the case to be at issue for
23 purposes of setting a trial date.

24 7. Despite the Parties’ best efforts and the cooperation of the attorneys of record for
25 the parties to schedule the deposition of Mr. Cenicerros, due to conflicting calendar schedules the
26 Parties are unable to complete the deposition of Mr. Cenicerros before the Case Management
27 Conference scheduled for May 9, 2022.

1 8. Currently, there is a hearing scheduled in this matter at 1:30 p.m. on July 11, 2022,
2 on the Application of Eric W. Matzke to be admitted as counsel *pro hac vice* for Defendant Pentair
3 Water Pool & Spa, Inc.

4 9. The Parties have met and conferred and agree to continue the Case Management
5 Conference to the same date and time as the hearing on the Application of Eric W. Matzke to be
6 admitted as counsel *pro hac vice* for Defendant Pentair Water Pool & Spa, Inc., scheduled for 1:30
7 p.m. on July 11, 2022.

8 10. The continuance of the Case Management Conference is respectfully requested by
9 the Parties for purposes of judicial economy and to avoid any burdens on the court or the litigants.

10
11 Dated: April 8, 2022

QUARLES & BRADY LLP

12
13 By _____

Ankineh Zadoorian, Esq.
Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

14
15
16
17 Dated: April 11, 2022

O'BRIEN & ZEHNDER

18
19 By  _____

John M. O'Brien, Esq.
Grant Zehnder, Esq.
Attorneys for Plaintiffs

[PROPOSED] ORDER

The Court having considered the parties' joint stipulation to continue the Case Management Conference, IT IS HEREBY ORDERED THAT:

1. The Case Management Conference in this matter is continued to 1:30 p.m. on July 11, 2022, in Department 31, of the Superior Court of California, County of Orange, Central Justice Center.

IT IS SO ORDERED:

Dated: _____

Judge of the Superior Court

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CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is Renaissance One, Two North Central Avenue, Phoenix, AZ 85004-2391. On April 11, 2022, I caused to be served the following document(s):

**JOINT STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE; AND [PROPOSED] ORDER**

On the party stated below by the following means of service:

John M. O'Brien, Esq.	jobrien@ozlaw.com
Grant R. Zehnder, Esq.	
O'BRIEN & ZEHNDER LAW FIRM	Attorneys for Plaintiff
9401 E. Stockton Blvd., Suite 225	
Elk Grove CA 95624	

☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed above, either provided by OneLegal, if available, or other available electronic means.

☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on April 11, 2022.



Declarant

1 Ankineh Zadoorian (SBN 295971)

QUARLES & BRADY LLP

2 2629 Foothill Blvd., #440

La Crescenta, CA 91214

3 Telephone: (608) 283-2684

Facsimile: (608) 251-9166

4 Email: Ankineh.Zadoorian@quarles.com

5 Attorneys for Defendant PENTAIR WATER POOL AND SPA, INC.

6 John M. O'Brien (SBN 148757)

Grant R. Zehnder (SBN 271228)

O'BRIEN & ZEHNDER LAW FIRM

7 9401 E. Stockton Blvd., Suite 225

8 Elk Grove, CA 95624

Telephone: (916) 714-8200

9 Facsimile: (916) 714-8201

Emails: jobrien@ozlaw.com

10 gzehnder@ozlaw.com

11 Attorneys for Plaintiffs LETICIA ARTEAGA, individually and as Successor-In-Interest to Al
Artega; JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual;
12 JESSICA ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and
through her Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a
13 minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **IN AND FOR THE COUNTY OF ORANGE**

17 LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
18 JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
19 JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
20 by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
21 JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
22 MARTHA DE LA TORRE;

23 Plaintiffs,

24 v.

25 PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
26 ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
27 DOES 1 through 100, inclusive,

28 Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE;
AND ORDER**

Assigned for All Purposes Judge
Martha K. Gooding

Action Filed: October 25, 2021

Trial Date: TBD

1 **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THROUGH THEIR**
2 **ATTORNEYS OF RECORD HEREIN:**

3 Plaintiffs, LETICIA ARTEAGA, individually and as Successor-In-Interest to Al Arteaga;
4 JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual; JESSICA
5 ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and through her
6 Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a minor, by and
7 through his Guardian ad Litem, MARTHA DE LA TORRE, and Defendant PENTAIR WATER
8 POOL AND SPA, INC. (collectively referred to as the “Parties”), by and through their respective
9 attorneys of record, hereby stipulate, agree, and represent to the Court as follows:

10 1. This action was filed on October 24, 2021.

11 2. Defendant Pentair Water Pool and Spa, Inc. answered the Complaint on February
12 7, 2022.

13 4. On April 4, 2022, a Case Management Conference was held in this action.
14 Attached hereto as **Exhibit A** is a true and correct copy of the Minute Order for the Case
15 Management Conference held on April 4, 2022.

16 5. At the Case Management Conference held on April 4, 2022, it was noted that
17 Defendant Enrique Cenicerros was served with the Complaint but had not yet filed a responsive
18 pleading.

19 6. The Court continued the Case Management Conference to May 9, 2022, at 9:00
20 a.m. in order to allow for the deposition of Mr. Cenicerros to be scheduled and completed. The
21 completion of Mr. Cencierros’s deposition is necessary for determination by Plaintiffs if the
22 dismissal of Mr. Cenicerros from the action would be appropriate and for the case to be at issue for
23 purposes of setting a trial date.

24 7. Despite the Parties’ best efforts and the cooperation of the attorneys of record for
25 the parties to schedule the deposition of Mr. Cenicerros, due to conflicting calendar schedules the
26 Parties are unable to complete the deposition of Mr. Cenicerros before the Case Management
27 Conference scheduled for May 9, 2022.
28

1 8. Currently, there is a hearing scheduled in this matter at 1:30 p.m. on July 11, 2022,
2 on the Application of Eric W. Matzke to be admitted as counsel *pro hac vice* for Defendant
3 Pentair Water Pool & Spa, Inc.


4 9. The Parties have met and conferred and agree to continue the Case Management
5 Conference to the same date and time as the hearing on the Application of Eric W. Matzke to be
6 admitted as counsel *pro hac vice* for Defendant Pentair Water Pool & Spa, Inc., scheduled for
7 1:30 p.m. on July 11, 2022.

8 10. The continuance of the Case Management Conference is respectfully requested by
9 the Parties for purposes of judicial economy and to avoid any burdens on the court or the litigants.

10
11 Dated: April 11, 2022

QUARLES & BRADY LLP

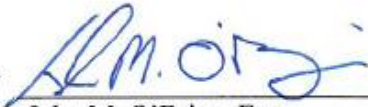
12
13 By


Ankinch Zadoorian, Esq.
Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

14
15
16 Dated: April 11, 2022

O'BRIEN & ZEHNDER

17
18 By


John M. O'Brien, Esq.
Grant Zehnder, Esq.
Attorneys for Plaintiffs

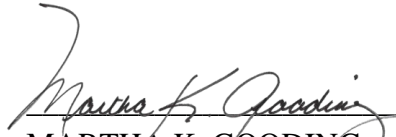
ORDER

The Court having considered the parties' joint stipulation to continue the Case Management Conference, IT IS HEREBY ORDERED THAT:

1. The Case Management Conference in this matter is continued to **June 13, 2022 at 9:00 a.m. in Department C31.**
2. Plaintiffs' counsel is ordered to give notice.

IT IS SO ORDERED:

Dated: **April 14, 2022**


MARTHA K. GOODING
Judge of the Superior Court

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CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is Renaissance One, Two North Central Avenue, Phoenix, AZ 85004-2391. On April 11, 2022, I caused to be served the following document(s):

**JOINT STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE; AND [PROPOSED] ORDER**

On the party stated below by the following means of service:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed above, either provided by OneLegal, if available, or other available electronic means.

☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on April 11, 2022.



Declarant

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1 John M. O'Brien (SBN 148757)
Grant R. Zehnder (SBN 271228)
2 **O'BRIEN & ZEHNDER**
9401 East Stockton Boulevard, Suite 225
3 Elk Grove, California 95624
Telephone: (916) 714-8200
4 Facsimile: (916) 714-8201

5 Attorneys for Plaintiffs
LETICIA ARTEAGA, JOSEPH ARTEAGA,
6 MICHAEL ARTEAGA, JESSICA ARTEAGA,
MICHELE DENISE ARTEAGA, a minor, by
7 and through her Guardian ad Litem, MARTHA
DE LA TORRE, and JACOB MASON
8 ARTEAGA, a minor, by and through his
Guardian ad Litem, MARTHA DE LA TORRE
9

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF ORANGE

12 LETICIA ARTEAGA, et al.,

13 Plaintiffs,

14 vs.

15 PENTAIR WATER POOL AND SPA,
INC., et al.,

16 Defendants.
17

Case No. 30-2021-01227987-CU-PO-CJC

Assigned for All Purposes to
Judge Martha K. Gooding

**NOTICE OF CASE MANAGEMENT
CONFERENCE**

18 NOTICE IS HEREBY GIVEN that the Court has ordered that the Case
19 Management Conference in the above-referenced matter set for May 9, 2022 at 9:00 a.m.
20 be continued to **June 13, 2021 at 9:00 a.m.** in the **Orange County Superior Court,**
21 **Department C31,** located at 700 W. Civic Center Drive, Santa Ana, California. A copy of
22 the Joint Stipulation to Continue Case Management Conference; and Order is attached.

23 DATED: April 26, 2022

O'BRIEN & ZEHNDER

24 By: 
25

JOHN M. O'BRIEN

26 Attorneys for Plaintiffs LETICIA
ARTEAGA, JOSEPH ARTEAGA,
27 MICHAEL ARTEAGA, JESSICA
ARTEAGA, MICHELE DENISE
28 ARTEAGA, and JACOB MASON
ARTEAGA

1 John M. O'Brien (SBN 148757)
Grant R. Zehnder (SBN 271228)
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9401 East Stockton Boulevard, Suite 225
3 Elk Grove, California 95624
Telephone: (916) 714-8200
4 Facsimile: (916) 714-8201

5 Attorneys for Plaintiffs
LETICIA ARTEAGA, JOSEPH ARTEAGA,
6 MICHAEL ARTEAGA, JESSICA ARTEAGA,
MICHELE DENISE ARTEAGA, a minor, by
7 and through her Guardian ad Litem, MARTHA
DE LA TORRE, and JACOB MASON
8 ARTEAGA, a minor, by and through his
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10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF ORANGE

12 LETICIA ARTEAGA, et al.,

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Case No. 30-2021-01227987-CU-PO-CJC

Assigned for All Purposes to
Judge Martha K. Gooding

**NOTICE OF CASE MANAGEMENT
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19 Management Conference in the above-referenced matter set for May 9, 2022 at 9:00 a.m.
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21 **Department C31**, located at 700 W. Civic Center Drive, Santa Ana, California. A copy of
22 the Joint Stipulation to Continue Case Management Conference; and Order is attached.

23 DATED: April 26, 2022

O'BRIEN & ZEHNDER

24 By: _____
25 JOHN M. O'BRIEN

26 Attorneys for Plaintiffs LETICIA
ARTEAGA, JOSEPH ARTEAGA,
27 MICHAEL ARTEAGA, JESSICA
ARTEAGA, MICHELE DENISE
28 ARTEAGA, and JACOB MASON
ARTEAGA

1 Ankineh Zadoorian (SBN 295971)

2 **QUARLES & BRADY LLP**

2629 Foothill Blvd., #440

La Crescenta, CA 91214

3 Telephone: (608) 283-2684

Facsimile: (608) 251-9166

4 Email: Ankineh.Zadoorian@quarles.com

5 Attorneys for Defendant PENTAIR WATER POOL AND SPA, INC.

6 John M. O'Brien (SBN 148757)

Grant R. Zehnder (SBN 271228)

7 **O'BRIEN & ZEHNDER LAW FIRM**

9401 E. Stockton Blvd., Suite 225

8 Elk Grove, CA 95624

Telephone: (916) 714-8200

9 Facsimile: (916) 714-8201

Emails: jobrien@ozlaw.com

10 gzehnder@ozlaw.com

11 Attorneys for Plaintiffs LETICIA ARTEAGA, individually and as Successor-In-Interest to Al
Artega; JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual;
12 JESSICA ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and
through her Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a
13 minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **IN AND FOR THE COUNTY OF ORANGE**

17 LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
18 JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
19 JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
20 by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
21 JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
22 MARTHA DE LA TORRE;

23 Plaintiffs,

24 v.

25 PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
26 ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
27 DOES 1 through 100, inclusive,

28 Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE;
AND ORDER**

Assigned for All Purposes Judge
Martha K. Gooding

Action Filed: October 25, 2021
Trial Date: TBD

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THROUGH THEIR ATTORNEYS OF RECORD HEREIN:

Plaintiffs, LETICIA ARTEAGA, individually and as Successor-In-Interest to Al Arteaga; JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual; JESSICA ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and through her Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE, and Defendant PENTAIR WATER POOL AND SPA, INC. (collectively referred to as the "Parties"), by and through their respective attorneys of record, hereby stipulate, agree, and represent to the Court as follows:

1. This action was filed on October 24, 2021.

2. Defendant Pentair Water Pool and Spa, Inc. answered the Complaint on February 7, 2022.

4. On April 4, 2022, a Case Management Conference was held in this action. Attached hereto as Exhibit A is a true and correct copy of the Minute Order for the Case Management Conference held on April 4, 2022.

5. At the Case Management Conference held on April 4, 2022, it was noted that Defendant Enrique Cenicerros was served with the Complaint but had not yet filed a responsive pleading.

6. The Court continued the Case Management Conference to May 9, 2022, at 9:00 a.m. in order to allow for the deposition of Mr. Cenicerros to be scheduled and completed. The completion of Mr. Cenicerros's deposition is necessary for determination by Plaintiffs if the dismissal of Mr. Cenicerros from the action would be appropriate and for the case to be at issue for purposes of setting a trial date.

7. Despite the Parties' best efforts and the cooperation of the attorneys of record for the parties to schedule the deposition of Mr. Cenicerros, due to conflicting calendar schedules the Parties are unable to complete the deposition of Mr. Cenicerros before the Case Management Conference scheduled for May 9, 2022.

1 8. Currently, there is a hearing scheduled in this matter at 1:30 p.m. on July 11, 2022,
2 on the Application of Eric W. Matzke to be admitted as counsel *pro hac vice* for Defendant
3 Pentair Water Pool & Spa, Inc.


4 9. The Parties have met and conferred and agree to continue the Case Management
5 Conference to the same date and time as the hearing on the Application of Eric W. Matzke to be
6 admitted as counsel *pro hac vice* for Defendant Pentair Water Pool & Spa, Inc., scheduled for
7 1:30 p.m. on July 11, 2022.

8 10. The continuance of the Case Management Conference is respectfully requested by
9 the Parties for purposes of judicial economy and to avoid any burdens on the court or the litigants.

10
11 Dated: April 11, 2022

QUARLES & BRADY LLP

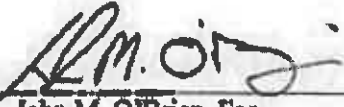
12
13 By


Ankinah Zadoorian, Esq.
Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

14
15
16 Dated: April 11, 2022

O'BRIEN & ZEHNDER

17
18 By


John M. O'Brien, Esq.
Grant Zehnder, Esq.
Attorneys for Plaintiffs


ORDER

The Court having considered the parties' joint stipulation to continue the Case Management Conference, IT IS HEREBY ORDERED THAT:

1. The Case Management Conference in this matter is continued to **June 13, 2022 at 9:00 a.m. in Department C31.**
2. Plaintiffs' counsel is ordered to give notice.

IT IS SO ORDERED:

Dated: **April 14, 2022**


MARTHA K. GOODING
Judge of the Superior Court

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is Renaissance One, Two North Central Avenue, Phoenix, AZ 85004-2391. On April 11, 2022, I caused to be served the following document(s):

**JOINT STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE; AND [PROPOSED] ORDER**

On the party stated below by the following means of service:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

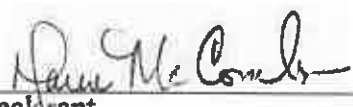
9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed above, either provided by OneLegal, if available, or other available electronic means.

☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on April 11, 2022.


Declarant

ARTEAGA, et al. vs. PENTAIR WATER POOL AND SPA, INC., et al.
Orange County Superior Court, Case No. 30-2021-01227987-CU-PO-CJC

PROOF OF SERVICE

I, Brenda S. Marchant, declare:

I am a citizen of the United States and a resident of the County of Sacramento; I am over the age of eighteen years and not a party to the within above-entitled action; my business mailing address is 9401 East Stockton Blvd., Suite 225, Elk Grove, California 95624.

On April 26, 2022, I served the following documents:

NOTICE OF CASE MANAGEMENT CONFERENCE

_____ via United States mail by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing mail in accordance with this firm's practice, whereby the mail is deposited in a United States mailbox in the City of Elk Grove, California before the close of the day's business

_____ via Overnight Express Mail Courier, _____

_____ via Facsimile, followed by U.S. Mail

 X via Electronic Mail Only

on the parties to this action at the addresses indicated below:

Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.
Ankineh Zadoorian
Quarles & Brady LLP
2629 Foothill Blvd., Suite 440
La Crescenta, CA 91214
Tel: (608) 283-2684
Fax: (608) 251-9166
ankineh.zadoorian@quarles.com
dawn.mccombs@quarles.com

Attorneys for Defendant
ENRIQUECENICEROS, an
individual dba M-C- POOL
Scott A. Smith
Scott A. Smith Law
24 Corporate Plaza Drive, Second Floor
Newport Beach, CA 92660
Tel: (949) 520-7248
Fax: 949-520-7240
scott@scottasmithlaw.com

Attorneys for Defendant
PENTAIR WATER POOL
AND SPA, INC.
Eric Matzke
Quarles & Brady LLP
411 East Wisconsin Avenue, Suite 2400
Milwaukee, WI 53202-4428
Tel: (414) 277-5335
eric.matzke@quarles.com

1 I declare under the penalty of perjury that the foregoing is true and correct and that
2 this declaration was executed on April 26, 2022, at Elk Grove, California.

3 

4 Brenda S. Marchant
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Ankineh Zadoorian (SBN 295971) QUARLES & BRADY LLP 2629 Foothill Blvd., #440 La Crescenta, CA 91214 TELEPHONE NO.: (608) 283-2684 FAX NO. (Optional): (608) 251-9166 E-MAIL ADDRESS: Ankineh.Zadoorian@quarles.com ATTORNEY FOR (Name): Defendant Pentair Water Pool and Spa, Inc.	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 W. Civic Center Drive MAILING ADDRESS: 700 W. Civic Center Drive CITY AND ZIP CODE: Santa Ana 92701 BRANCH NAME: Central Justice Center	
PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al. DEFENDANT/RESPONDENT: Pentair Water Pool and Spa, Inc., et. al.	
CASE MANAGEMENT STATEMENT (Check one): <input checked="" type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$25,000) <input type="checkbox"/> LIMITED CASE (Amount demanded is \$25,000 or less)	CASE NUMBER: 30-2021-01227987-CU-PO-CJC
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: June 13, 2022 Time: 9:00 a.m.PST Dept.: C31 Div.: Room: Address of court (if different from the address above): <input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): Ankineh Zadoorian	

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties** (answer one):
 - a. ☒ This statement is submitted by party (name): Defendant Pentair Water Pool and Spa, Inc. (hereafter "Defendant Pentair")
 - b. ☐ This statement is submitted **jointly** by parties (names):
2. **Complaint and cross-complaint** (to be answered by plaintiffs and cross-complainants only)
 - a. The complaint was filed on (date):
 - b. ☐ The cross-complaint, if any, was filed on (date):
3. **Service** (to be answered by plaintiffs and cross-complainants only)
 - a. ☐ All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. ☐ The following parties named in the complaint or cross-complaint
 - (1) ☐ have not been served (specify names and explain why not):
 - (2) ☐ have been served but have not appeared and have not been dismissed (specify names):
 - (3) ☐ have had a default entered against them (specify names):
 - c. ☐ The following additional parties may be added (specify names, nature of involvement in case, and date by which they may be served):
4. **Description of case**
 - a. Type of case in ☒ complaint ☐ cross-complaint (Describe, including causes of action):
 Product liability action in which Plaintiffs allege (1) negligence, (2) strict product liability, and (3) failure to warn against the Defendant Pentair Water Pool and Spa, Inc. Action is brought forth by the surviving spouse and heirs of decedent Al Arteaga.

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: Pentair Water Pool and Spa, Inc., et. al.	30-2021-01227987-CU-PO-CJC

4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*
This action stems from an incident that occurred on July 20, 2019, wherein it is alleged that Al Arteaga was killed when the filtration system of his home's pool equipment malfunctioned. Plaintiffs are seeking recovery for economic and non-economic damages against Defendant Pentair Water Pool and Spa, Inc. The total damages claimed are unknown by the Defendant.

☐ *(If more space is needed, check this box and attach a page designated as Attachment 4b.)*

5. **Jury or nonjury trial**

The party or parties request ☒ a jury trial ☐ a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**

- a. ☐ The trial has been set for *(date)*:
b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
Due to the complexity of claims, number of Plaintiffs and expected experts, it will take longer than 12 months to prepare.
c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:
May 20, 2022 – Trial (Estimated 2 weeks); August 8, 2022 --Trial (Estimated 2 weeks); December 5, 2022--Trial (Estimated 2 weeks); and April 10, 2023 --Trial (Estimated 2 weeks).

7. **Estimated length of trial**

The party or parties estimate that the trial will take *(check one)*:

- a. ☒ days *(specify number)*: 10-12 days
b. ☐ hours (short causes) *(specify)*:

8. **Trial representation** *(to be answered for each party)*

The party or parties will be represented at trial ☐ by the attorney or party listed in the caption ☒ by the following:

- a. Attorney: Eric W. Matzke (Application to be Admitted as Counsel Pro Hac Vice has been filed and is pending)
b. Firm: Quarles & Brady LLP
c. Address: 411 East Wisconsin Avenue, Suite 2400, Milwaukee, WI 53202
d. Telephone number: (414) 277-5335 f. Fax number:
e. E-mail address: eric.matzke@quarles.com g. Party represented: Defendant Pentair

☐ Additional representation is described in Attachment 8.

9. **Preference**

☐ This case is entitled to preference *(specify code section)*:

10. **Alternative dispute resolution (ADR)**

- a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.
(1) For parties represented by counsel: Counsel ☒ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.
(2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.
b. **Referral to judicial arbitration or civil action mediation** (if available).
(1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.
(2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
(3) ☒ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:
Multiple causes of action and amount in controversy exceeds \$50,000.

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.
 DEFENDANT/RESPONDENT: Pentair Water Pool and Spa, Inc., et. al.

CASE NUMBER:
 30-2021-01227987-CU-PO-CJC

10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al. DEFENDANT/RESPONDENT: Pentair Water Pool and Spa, Inc., et. al.	CASE NUMBER: 30-2021-01227987-CU-PO-CJC
--	--

11. Insurance

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. ☐ There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- ☐ Additional cases are described in Attachment 13a.
- b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by (*name party*):

14. Bifurcation

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- ☒ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
- An unopposed Verified Application to be Admitted Pro Hac Vice as counsel for Defendant Pentair Water Pool and Spa, Inc. on behalf of Eric W. Matzke has been filed and is pending. Defendant Pentair also plans to file a motion for summary judgment or, in the alternative, motion for summary adjudication. In addition, motions in limine will be filed at the time of trial.

16. Discovery

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>
Defendant	Written Discovery	Pursuant to Code
Defendant	Depositions of Percipient Witnesses	Pursuant to Code
Defendant	Expert Discovery	Pursuant to Code
Defendant	Site and Device Inspection	April 12, 2022

- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.
DEFENDANT/RESPONDENT: Pentair Water Pool and Spa, Inc., et. al.

CASE NUMBER:
30-2021-01227987-CU-PO-CJC

17. Economic litigation

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed *(if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case)*:

18. Other issues

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference *(specify)*:

19. Meet and confer

- a. ☒ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court *(if not, explain)*:
- b. ☐ After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following *(specify)*:

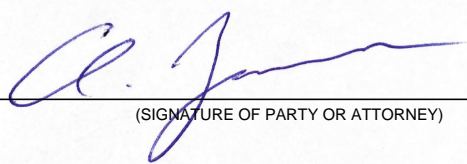
20. Total number of pages attached *(if any)*: 0

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: May 18, 2022

Ankineh Zadoorian

(TYPE OR PRINT NAME)

▶ 
(SIGNATURE OF PARTY OR ATTORNEY)

▶ _____
(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is 2 North Central Avenue, Phoenix, Arizona 85004. On May 18, 2022, I caused to be served the following document(s):

CASE MANAGEMENT STATEMENT

On the party stated below by the following means of service:

- ☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.
- ☒ By One Legal I caused a true and correct copy of the above-entitled document(s) to be served electronically through One Legal to all parties appearing on the One Legal electronic service list for the above-entitled case, if available.
- ☐ By Personal Service I caused each such envelope to be given to a courier messenger with instructions to deliver each such envelope to the office of the below-referenced attorneys of record.
- ☐ By Overnight Courier I caused each such envelope to be placed in a sealed package designated by Federal Express and depositing same in an overnight express receptacle maintained by Federal Express, Phoenix, Arizona, with delivery fees provided for, with instructions to be hand delivered to the office of the addressee on the next business day.
- ☐ By Facsimile Fax Number (see below)
- ☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed as follows:

John M. O'Brien, Esq.
Grant R. Zehnder, Esq.
O'BRIEN & ZEHNDER LAW FIRM
9401 E. Stockton Blvd., Suite 225
Elk Grove CA 95624

jobrien@ozlaw.com
gzehnder@ozlaw.com
kadam@ozlaw.com
bmarchant@ozlaw.com

Attorneys for Plaintiff

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on May 18, 2022.


Declarant

1 Ankineh Zadoorian (SBN 295971)

QUARLES & BRADY LLP

2 2629 Foothill Blvd., #440

La Crescenta, CA 91214

3 Telephone: (608) 283-2684

Facsimile: (608) 251-9166

4 Email: Ankineh.Zadoorian@quarles.com

5 Attorneys for Defendant PENTAIR WATER POOL AND SPA, INC.

6 John M. O'Brien (SBN 148757)

Grant R. Zehnder (SBN 271228)

O'BRIEN & ZEHNDER LAW FIRM

7 9401 E. Stockton Blvd., Suite 225

8 Elk Grove, CA 95624

9 Telephone: (916) 714-8200

Facsimile: (916) 714-8201

Emails: jobrien@ozlaw.com

gzehnder@ozlaw.com

11 Attorneys for Plaintiffs LETICIA ARTEAGA, individually and as Successor-In-Interest to Al
Artega; JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual;
12 JESSICA ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and
through her Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a
13 minor, by and through his Guardian ad Litem, MARTHA DE LA TORRE

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

15 **IN AND FOR THE COUNTY OF ORANGE**

17 LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
18 JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
19 JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
20 by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
21 JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
22 MARTHA DE LA TORRE;

23 Plaintiffs,

24 v.

25 PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
26 ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
27 DOES 1 through 100, inclusive,

28 Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**JOINT STIPULATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
SCHEDULED FOR JUNE 13, 2022; AND
ORDER**

Assigned for All Purposes Judge
Martha K. Gooding

Action Filed: October 25, 2021
Trial Date: TBD

1 **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THROUGH THEIR**
2 **ATTORNEYS OF RECORD HEREIN:**

3 Plaintiffs, LETICIA ARTEAGA, individually and as Successor-In-Interest to Al Arteaga;
4 JOSEPH ARTEAGA, an individual; MICHAEL ARTEAGA, an individual; JESSICA
5 ARTEAGA, an individual MICHELE DENISE ARTEAGA, a minor, by and through her
6 Guardian ad Litem, MARTHA DE LA TORRE; JACOB MASON ARTEAGA, a minor, by and
7 through his Guardian ad Litem, MARTHA DE LA TORRE, and Defendant PENTAIR WATER
8 POOL AND SPA, INC. (collectively referred to as the “Parties”), by and through their respective
9 attorneys of record, hereby stipulate, agree, and represent to the Court as follows:

- 10 1. This action was filed on October 24, 2021.
- 11 2. Defendant Pentair Water Pool and Spa, Inc. answered the Complaint on February
12 7, 2022.
- 13 3. Defendant Enrique Cenicerros has not yet formally entered the case and responded
14 to Plaintiffs’ Complaint.
- 15 4. On April 4, 2022, a Case Management Conference was held in this action.
16 Attached hereto as **Exhibit A** is a true and correct copy of the Minute Order for the Case
17 Management Conference held on April 4, 2022.
- 18 5. At the Case Management Conference held on April 4, 2022, it was noted that
19 Defendant Enrique Cenicerros was served with the Complaint but had not yet filed a responsive
20 pleading.
- 21 6. The Court continued the Case Management Conference to May 9, 2022, at 9:00
22 a.m. in order to allow for the deposition of Mr. Cenicerros to be scheduled and completed. The
23 completion of Mr. Cencierros’s deposition is necessary for determination by Plaintiffs if the
24 dismissal of Mr. Cenicerros from the action would be appropriate and for the case to be at issue for
25 purposes of setting a trial date.
- 26 7. Despite the Parties’ best efforts and the cooperation of the attorneys of record for
27 the parties to schedule the deposition of Mr. Cenicerros, due to conflicting calendar schedules the
28

1 Parties were unable to complete the deposition of Mr. Cenicerros before the Case Management
2 Conference scheduled for May 9, 2022.

3 8. On April 11, 2022, the Parties filed a joint stipulation and proposed order to
4 continue the Case Management Conference. On April 14, 2022, the Court reviewed and granted
5 the Parties' request to continue the Case Management Conference from May 9, 2022, to June 13,
6 2022, at 9:00 a.m. (See **Exhibit B**, Signed Order Granting Stipulation to Continue Case
7 Management Conference.)

8 9. Currently, the Case Management Conference in this action is scheduled for June
9 13, 2022, at 9:00 a.m.

10 10. Ankinah Zadoorian, counsel for Defendant Pentair Water Pool and Spa, Inc., has
11 been summoned for jury duty to commence on June 13, 2022. (See **Exhibit C**, Summons for Jury
12 Duty for Ankinah Zadoorian commencing June 13, 2022.) As such, counsel for Defendant Pentair
13 Water Pool and Spa, Inc. is no longer available for the Case Management Conference scheduled
14 for June 13, 2022.

15 11. The Parties have met and conferred and agreed to continue the Case Management
16 Conference due to the conflict with the current hearing date as a result of Ms. Zadoorian being
17 summoned for jury duty.

18 13. Furthermore, due to conflicting calendar schedules for counsel for all parties, the
19 deposition of Co-Defendant Enrique has not yet been completed. However, it has been scheduled
20 and confirmed for 1:00 p.m. (PST) on June 8, 2022.

21 14. The Parties further stipulate and agree to continue the Case Management
22 Conference to allow for sufficient time after the completion of Mr. Cencierros's deposition on
23 June 8, 2022, for Plaintiffs to determine if Mr. Cenicerros will be dismissed from the action for the
24 case to be at issue at the Case Management Conference.

25 15. Based on the foregoing, the Parties respectfully request that the Case Management
26 Conference be continued to the same date and time as an upcoming hearing in this matter on the
27 Application of Eric W. Matzke to be admitted as counsel *pro hac vice* for Defendant Pentair
28

1 Water Pool & Spa, Inc., scheduled for **1:30 p.m. on July 11, 2022**, or another date convenient for
2 the Court's calendar.

3 16. The continuance of the Case Management Conference is respectfully requested by
4 the Parties for purposes of judicial economy and to avoid any burdens on the court or the litigants.


5 17. The Parties do not seek this continuance of the Case Management Conference for
6 purposes of delay and sought the relief requested herein as soon as the need for the continuance
7 was realized by the Parties.

8 18. Furthermore, that for purposes of this stipulation, faxed and/or electronic
9 signatures of counsel shall have the same force and effect as original signatures, and this
10 stipulation may be executed in counterparts.

11
12
13 Dated: June 1, 2022

QUARLES & BRADY LLP

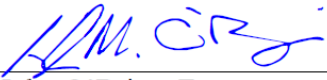
14
15 By


Ankinch Zadoorian, Esq.
Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

16
17
18 Dated: June 2, 2022

O'BRIEN & ZEHNDER LAW FIRM

19
20 By


John O'Brien, Esq.
Grant Zehnder, Esq.
Attorneys for Plaintiffs

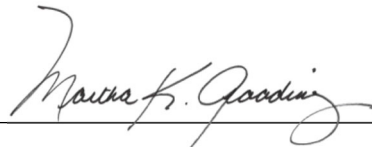
ORDER

Based on the Parties' stipulation, and for good cause shown, the Court ORDERS as follows:

1. The Case Management Conference now scheduled for June 13, 2022 is continued to August 1, 2022 at 9:00 a.m. in Department C31.
2. Defendant Pentair Water Pool and Spa is ordered to give notice of this Order.

IT IS SO ORDERED.

Dated: **June 02, 2022**



MARTHA K. GOODING

Judge of the Superior Court

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is Renaissance One, Two North Central Avenue, Phoenix, AZ 85004-2391. On June 2, 2022, I caused to be served the following document(s):

**JOINT STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE SCHEDULED FOR JUNE 13, 2022;
AND [PROPOSED] ORDER**

On the party stated below by the following means of service:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

O'BRIEN & ZEHNDER LAW FIRM

Attorneys for Plaintiff

9401 E. Stockton Blvd., Suite 225

Elk Grove CA 95624

- ☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed above, either provided by OneLegal, if available, or other available electronic means.
- ☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on June 2, 2022.


Declarant

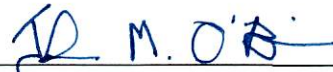
CIV-120

<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</small> John M. O'Brien; O'BRIEN & ZEHNDER SBN:148757 9401 E. Stockton Blvd., Suite 225, Elk Grove, CA 95624 <small>TELEPHONE NO.:</small> (916) 714-8200 <small>FAX NO.:</small> (916) 714-8201 <small>E-MAIL ADDRESS:</small> <small>ATTORNEY FOR (Name):</small> Plaintiffs		<small>FOR COURT USE ONLY</small>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE <small>STREET ADDRESS:</small> 700 Civic Center Drive West <small>MAILING ADDRESS:</small> Santa Ana, CA 92701 <small>CITY AND ZIP CODE:</small> <small>BRANCH NAME:</small>		
<small>PLAINTIFF/PETITIONER:</small> LETICIA ARTEAGA, et al. <small>DEFENDANT/RESPONDENT:</small> PENTAIR WATER, POOL & SPA, INC., et al.		
NOTICE OF ENTRY OF DISMISSAL AND PROOF OF SERVICE <input checked="" type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Other (specify):		<small>CASE NUMBER:</small> 30-2021-01227987-CU-PO-CJC

TO ATTORNEYS AND PARTIES WITHOUT ATTORNEYS: A dismissal was entered in this action by the clerk as shown on the *Request for Dismissal*. (Attach a copy completed by the clerk.)

Date: June 28, 2022

JOHN M. O'BRIEN
(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)

▶ 
(SIGNATURE)

PROOF OF SERVICE

1. I am over the age of 18 and not a party to this cause. My residence or business address is: 9401 E. Stockton Boulevard, Suite 225, Elk Grove, California 95624
2. ☒ I am a resident of or employed in the county where the mailing occurred. I served a copy of the *Notice of Entry of Dismissal* and *Request for Dismissal* by mailing them, in a sealed envelope with postage fully prepaid, as follows:
 - a. ☐ I deposited the envelope with the United States Postal Service.
 - b. ☒ I placed the envelope for collection and processing for mailing following this business's ordinary practice with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
 - c. Date of deposit: June 28, 2022
 - d. Place of deposit (city and state): Elk Grove, California
 - e. Addressed as follows (name and address): Eric Matzke, Quarles & Brady, 411 East Wisconsin Ave., Ste. 2400, Milwaukee, WI 53202
Ankineh Zadoorian, Quarles & Brady, 2629 Foothill Blvd., Ste. 440, La Crescenta, CA 91214;
Scott A. Smith, Scott A. Smith Law, 24 Corporate Plaza Dr., 2nd Floor, Newport Beach, CA 92660
3. ☐ I served a copy of the *Notice of Entry of Dismissal* and *Request for Dismissal* by personally delivering copies as shown below:
 - a. Name of person served:
 - b. Address at which person served:
 - c. On (date):
 - d. At (time):
4. ☐ I served a copy of the *Notice of Entry of Dismissal* and *Request for Dismissal* by electronically serving copies as shown below (complete if electronic service is used based on a court order or agreement of the parties):
 - a. Name of person served:
 - b. Electronic service address of person served:
 - c. On (date):
 - d. At (time):
 - e. Electronic service address from which I served the documents:
5. ☐ Proof of electronic service is attached.
6. ☐ Proof of service on additional parties is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: June 28, 2022

KELLY ADAM

(TYPE OR PRINT NAME)

▶ 
(SIGNATURE OF DECLARANT)

Page 1 of 1

Electronically Filed by Superior Court of California, County of Orange, 06/23/2022 08:00:00 AM.
 30-2021-01227987-CU-PO-CJC - ROA # 65 - DAVID H. YAMASAKI, Clerk of the Court By Lisa Arnold, Deputy Clerk.

CIV-110

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): John M. O'Brien (SBN 148757) O'BRIEN & ZEHNDER 9401 E. Stockton Blvd., Suite 225 Elk Grove, CA 95624 TELEPHONE NO.: (916) 714-8200 FAX NO. (Optional): (916) 714-8201 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Plaintiffs	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 Civic Center Drive West MAILING ADDRESS: Santa Ana, CA 92701 CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al. DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.	
REQUEST FOR DISMISSAL	CASE NUMBER: 30-2021-01227987-CU-PO-CJC
A conformed copy will not be returned by the clerk unless a method of return is provided with the document.	
This form may not be used for dismissal of a derivative action or a class action or of any party or cause of action in a class action. (Cal. Rules of Court, rules 3.760 and 3.770.)	

1. TO THE CLERK: Please dismiss this action as follows:

a. (1) ☒ With prejudice (2) ☐ Without prejudiceb. (1) ☐ Complaint (2) ☐ Petition(3) ☐ Cross-complaint filed by (name):

on (date):

(4) ☐ Cross-complaint filed by (name):

on (date):

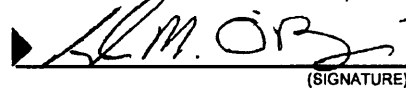
(5) ☐ Entire action of all parties and all causes of action(6) ☒ Other (specify):* Dismissal of complaint as to defendant, ENRIQUE CENICEROS an individual doing business as M-C POOL, ONLY. Each side to bear their own attorneys' fees and costs.

2. (Complete in all cases except family law cases.)

The court ☐ did ☒ did not waive court fees and costs for a party in this case. (This information may be obtained from the clerk. If court fees and costs were waived, the declaration on the back of this form must be completed).

Date: June 20, 2022

JOHN M. O'BRIEN

(TYPE OR PRINT NAME OF ☒ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)


(SIGNATURE)

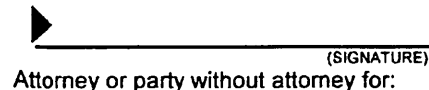
Attorney or party without attorney for: Plaintiffs

*If dismissal requested is of specified parties only of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.

☐ Plaintiff/Petitioner☐ Defendant/Respondent☐ Cross-Complainant

3. TO THE CLERK: Consent to the above dismissal is hereby given.**

Date:

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY WITHOUT ATTORNEY)


(SIGNATURE)

Attorney or party without attorney for:

** If a cross-complaint - or Response (Family Law) seeking affirmative relief - is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581 (i) or (j).

☐ Plaintiff/Petitioner☐ Defendant/Respondent☐ Cross-Complainant

(To be completed by clerk)

4. ☒ Dismissal entered as requested on (date): 06/23/20225. ☐ Dismissal entered on (date): as to only (name):6. ☐ Dismissal not entered as requested for the following reasons (specify):7. a. ☐ Attorney or party without attorney notified on (date):

b. ☐ Attorney or party without attorney not notified. Filing party failed to provide
☐ a copy to be conformed ☐ means to return conformed copy

Date: 06/23/2022

Clerk, by

DAVID H. YAMASAKI, Clerk of the Court



Lisa Arnold

Deputy

CIV-110

PLAINTIFF/PETITIONER: LETICIA ARTEAGA, et al.	CASE NUMBER:
DEFENDANT/RESPONDENT: PENTAIR WATER, POOL & SPA, INC., et al.	30-2021-01227987-CU-PO-CJC

COURT'S RECOVERY OF WAIVED COURT FEES AND COSTS

If a party whose court fees and costs were initially waived has recovered or will recover \$10,000 or more in value by way of settlement, compromise, arbitration award, mediation settlement, or other means, the court has a statutory lien on that recovery. The court may refuse to dismiss the case until the lien is satisfied. (Gov. Code, § 68637.)

Declaration Concerning Waived Court Fees

1. The court waived court fees and costs in this action for *(name)*:
2. The person named in item 1 is *(check one below)*:
 - a. ☐ not recovering anything of value by this action.
 - b. ☐ recovering less than \$10,000 in value by this action.
 - c. ☐ recovering \$10,000 or more in value by this action. *(If item 2c is checked, item 3 must be completed.)*
3. ☐ All court fees and court costs that were waived in this action have been paid to the court *(check one)*: ☐ Yes ☐ No

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

(TYPE OR PRINT NAME OF ☐ ATTORNEY ☐ PARTY MAKING DECLARATION)

(SIGNATURE)

Ankineh Zadoorian (SBN 295971)
QUARLES & BRADY LLP
2629 Foothill Blvd., #440
La Crescenta, CA 91214
Telephone: (608) 283-2684
Facsimile: (608) 251-9166
Email: Ankineh.Zadoorian@quarles.com

Eric W. Matzke (Admitted *Pro Hac Vice*)
QUARLES & BRADY LLP
411 East Wisconsin Avenue, Suite #2400
Milwaukee, WI 53202-4426
Telephone: (414) 277-5000
Fax: (414) 271-3552
Email: Eric.Matzke@quarles.com

Attorneys for Defendant PENTAIR WATER POOL AND SPA, INC.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ORANGE

LETICIA ARTEAGA, individually and as
Successor-In-Interest to Al Arteaga;
JOSEPH ARTEAGA, an individual;
MICHAEL ARTEAGA, an individual;
JESSICA ARTEAGA, an individual
MICHELE DENISE ARTEAGA, a minor,
by and through her Guardian ad Litem,
MARTHA DE LA TORRE;
JACOB MASON ARTEAGA, a minor,
by and through his Guardian ad Litem,
MARTHA DE LA TORRE;

Plaintiffs,

v.

PENTAIR WATER POOL AND SPA, INC.,
a Delaware corporation;
PENTAIR, INC., a Minnesota corporation;
ENRIQUE CENICEROS, an individual
doing business as M-C-POOL; and
DOES 1 through 100, inclusive,

Defendants.

Case No. 30-2021-01227987-CU-PO-CJC

**NOTICE OF RULING GRANTING
APPLICATION OF ERIC W. MATZKE
TO BE ADMITTED *PRO HAC VICE* AS
COUNSEL FOR DEFENDANT PENTAIR
WATER POOL AND SPA, INC.**

Assigned for All Purposes Judge
Martha K. Gooding

Action Filed: October 25, 2021
Trial Date: TBD

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:


1 **NOTICE IS HEREBY GIVEN** that on July 11, 2022, at 1:30 p.m. the hearing on the
2 Application of Eric W. Matzke to appear as counsel *pro hac vice* for Defendant Pentair Water Pool
3 and Spa, Inc. ("Pentair"), in the above-entitled action, was heard in Department C31 of the Superior
4 Court of the State of California, County of Orange, at Central Justice Center, 700 Civic Center
5 Drive, Santa Ana, California, 92701. The Court ruled as follows:

- 6 1. The Application was GRANTED.
- 7 2. Eric W. Matzke is admitted *pro hac vice* as counsel for Defendant Pentair.

8
9 Dated: July 11, 2022

QUARLES & BRADY LLP

10
11 By



Ankinch Zadoorian, Esq.
Attorneys for Defendant
Pentair Water Pool and Spa, Inc.

CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Arizona, over the age of eighteen years, and not a party to the within action. My business address is Renaissance One, Two North Central Avenue, Phoenix, AZ 85004-2391. On July 11, 2022, I caused to be served the following document(s):

**NOTICE OF RULING GRANTING APPLICATION OF ERIC W. MATZKE
TO BE ADMITTED *PRO HAC VICE* AS COUNSEL FOR DEFENDANT
PENTAIR WATER POOL AND SPA, INC.**

On the party stated below by the following means of service:

John M. O'Brien, Esq.

jobrien@ozlaw.com

Grant R. Zehnder, Esq.

gzehnder@ozlaw.com

O'BRIEN & ZEHNDER LAW FIRM

9401 E. Stockton Blvd., Suite 225

Attorneys for Plaintiffs

Elk Grove CA 95624

☒ Based on a court order or an agreement of the parties to accept electronic service, I caused the document(s) to be sent to the person at the electronic service address listed above, either provided by OneLegal, if available, or other available electronic means.

☐ By First-Class Mail I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice correspondence is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Phoenix, Arizona in the ordinary course of business. The envelope described above was sealed and placed for collection on the date indicated above following ordinary business practices. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date on the envelope is more than one day after date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of Arizona that the foregoing is true and correct and that this declaration was executed on July 11, 2022.


Declarant